FILE DESCRIPTION

NEW YORK FILE

SUBJECT ROSENBERG/SOBELL COMMITTEE

FILE NO. 100-107111

VOLUME NO. BULKIES

SERIALS 1B661 THRU 1B677

NOTICE

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FD-192
(7-17-52)

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

File: 100-387835

NY Field Division

9/15/55 Date

Title and Character of Case: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE
IS - C

Date Property Acquired: SEE BELOW

Source From Which Property Acquired: SEE BELOW

Location of Property or Bulky Exhibit: VAULT

Reason for Retention of Property and Efforts Made to Dispose of Same: EVIDENCE AND INFORMATION
DISPOSITION: PERMANENT

Description of Property or Exhibit and Identity of Agent Submitting Same: SEE BELOW

661. June 1955 form letter signed Helen Sobell. Rec'd 7/11/55 from FBI, Cincinnatti. Subm. by SA Richard G. Minihan on 9/14/55. See serial 1766. am

662. Photostats of transcripts of public testimony taken by HCUA on 8/2/3/4/5/55 in connection with captioned organization. Rec'd. 8/19/55 from SAC, WFO. See ser.1802A Subm. by SA R.A.Minihan 9/21/55. pv

663. 5 throwaway letters issued by committee. Rec'd. 8/55 from CSNY 48-S.

664. Telegram from Helen Sobel to Dr. W.E.Dubois. Rec'd. 8/15/55 from CSNY 48-S.

665. Pamphlet entitled Ethel and Julias Rosenberg. Rec'd. 7/25/55 from CSNY 48-S.

666. Pamphlet entitled Atomic Scientist asks Justice. Rec'd. 7/25/55 from CSNY 48.

667. Press release 7/26/55 from CSNY 48-S, rec'd. 8/1/55.

NOTE: Exhibits 663 subm. by SA Richard A.Minihan 9/22/55/pv

668. Dear Friend letter from Aaron Schneider. Recd. 9/12/55 from CSNY 48-S. Subm. by SA Richard A. Minihan on 10/7/55. ms

669. Press release re: Sept. 29, rally at Carnegie Hall. Recd. 9/19/55 from CSNY 48-S. Subm. by SA Richard A. Minihan on 10/7/55. ms

670. Press Release re: Carnegie Hall meeting 9/29/55. Recd. 9/15/55 from CSNY 48-S. Subm. by SA Richard A. Minihan on 10/7/55. ms

100-107111-16123
SEARCHED ..... INDEXED ..... SERIALIZED ..... FILED .....
SEP 15 1955

Field File #:

FD-192
(7-17-52)

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

NY Field Division

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671. Rally Program of Carnegie Hall. Rec'd 10/4/55 from CSNY 425-S. Subm. by SA Richard A. Minihan on 10/12/55. (sh)
672. Pamphlet entitled "Judgement of Julius & Ethel Rosenberg" by John Wexley. Rec'd [redacted] Subm. by SA Richard A. Minihan on 10/12/55. (sh) b7D
673. Program distributed at "Assembly for Justice for Morton Sobell held 9/29/55 at Carnegie Hall.
674. Leaflet, "The Facts in the Case of Morton Sobell.
675. Card intednded for use to get information for the Sobell Committee. [redacted] See b7D
NOTE: Exhibits 18673 thru 675 rec'd. [redacted] Subm. by SA Alesio Saviola 11/8/55. pav
676. Analysis of the Case Against Morton Sobell prepared 10/10-11/55 by Prof. Love.
677. Reprint of review of book, "The Judgement of Julius & Ethel Rosenberg" appeared in "Fairfield County Fair". [redacted] Submitted b7D
NOTE: Above exhibits rec'd. [redacted] by SA Alesio Saviola 11/10/55. pav

100-107111-18124
SEARCHED INDEXED
SERIALIZED 84 FILED 84
OCT 12 1955
FBI-NEW YORK

Field File #:

JULIUS ROSENBERG, et al.

NEW YORK BULKY EXHIBIT FILES

Exhibit Number	Description	Released	Denied	Withheld
1B661	Letter, sketches of Rosenberg	✓		Public source ✓ documents
1B662	Transcripts from HCUA Hearings, 8/2 thru 8/5/55			
1B663	5 Letters	✓		
1B664	Telegram	✓		
1B665	Pamphlet	✓		
1B666	Pamphlet	✓		
1B667	Press Release	✓		
1B668	Letter	✓		
1B668	Letter	✓		
1B669	Letter	✓		
1B670	Press Release	✓		
1B671	Circular	✓		
* TP report # 1B672	Pamphlet	✓		
1B673	Program	✓		
1B674	Leaflet	✓		
1B675	3X5 Information card	✓		
1B676	Analysis of Rosenberg Case	✓		
1B677	Reprint	✓		

6/15/55
RTL.
6/15/55
8 PM

Committee To Secure Justice For Morton Sobell

1050 SIXTH AVENUE, NEW YORK 18, N. Y.
LOngacre 4-9585

June, 1955.

Dear Friend:

Now is the time when your help means most. Five years ago my husband, Morton Sobell, was imprisoned with Ethel and Julius Rosenberg. Two years ago the Rosenbergs died. The truth which did not save their lives, is being revealed now in the case of my husband.

The investigations which have already disclosed that six major prosecution witnesses have committed perjury must go forward. These investigations and the legal steps which our attorneys are planning, need funds.

You, who have understanding, must provide the help without which we cannot proceed.

I want you to have the enclosed reproductions of the works of Picasso and Hugo Gellert. I believe that these artists have captured the heroism of the Rosenbergs and of my husband, Morton Sobell.

Your response to this letter will determine how quickly my husband will be free. I know that you will do all that you can.

Faithfully yours,

Helen Sobell

(Mrs. Morton Sobell)

6-15-55
M.F.H.

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6/15/55
RTK.
6/15/55
cgm

Issued by

COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL

1050 SIXTH AVENUE, NEW YORK 18, N. Y. • LONGACRE 4-9555

1B661

"Neither death nor Alcatraz will keep the truth hidden. I will never be forced to bear false witness."

MORTON SOBELL

1B661

PICASSO

"History will record the truth and give the public a chance to right the great wrong done us."

ETHEL AND JULIUS ROSENBERG

6-16-55
M.F.N

1B661

SOBELL COMMITTEE
1050 SIXTH AVENUE
NEW YORK 18, N. Y.

18661

264

New York Committee to Secure Justice for Morton Sobell
1050 Sixth Avenue, New York 18, N.Y. LO 4-9585

August 24, 1955.

Dear Friend:

Labor Day usually means the return of thousands of New Yorkers to the city. It is the end of vacation periods and the terrific heat. It is the time when we breathe a deep sigh and decide we've got to get back to work.

For us who work for the securing of justice for Morton Sobell, it means that it is time for the re-establishment of our local groups and committees, and the undertaking of many new and fruitful tasks.

New opportunities are now present to break new ground. Fear is giving way before the truth and the needs of the people.

It is our suggestion that we start by bringing together as many people as possible in someone's home or elsewhere. It should not matter whether the people were in this work or not. The gathering should be social in character without fund raising or any other obligation. The purpose should be to bring the people up to date on the latest developments. We will be happy to have someone come from the New York Committee to give the people present the latest facts in the case and the campaign throughout the country.

Let us know as soon as you can when you and your friends will meet.

On September 29th, our Committee is calling an "Assembly for Justice" for Morton Sobell. It will be an important event in our public campaign in that it will occur on the eve of the resumption of the Un-American Activities Committee hearings on October 3rd. More positively, it will mark the start of new legal steps in this great fight for truth.

The September 29th event will take place in Carnegie Hall. A fine, historic program is prepared which in its content will be a step forward. That program will be announced in a short while.

Tickets are already on sale at the committee office. The admission price will be $1.25. Call us or write and we'll send you a batch of tickets.

Let's fill Carnegie Hall.

Since the publication of the Wexley book, the demand for the trial transcript is growing again. Should you have any copies of the transcript in your home, please return them immediately, or try to sell them and send in the money so that additional copies can be printed.

VOLUNTEERS ARE URGENTLY NEEDED. IF YOU KNOW OF ANYONE WHO CAN TYPE OR DO ANY OTHER CLERICAL WORK, PLEASE ASK THEM TO COME UP TO THE OFFICE OR CALL LO 4-9585.

Sincerely,

Aaron Schneider

Aaron Schneider
FOR THE COMMITTEE

18663

National Committee to Secure Justice for Morton Sobell
1050 Sixth Ave., New York-18, N.Y. LO 4-9585

August 22, 1955.

Dear Friend:

The hearings of the House Un-American Activities Committee have crystallized a growing feeling that conditions now exist for a large scale, national effort on behalf of Morton Sobell. For some weeks prior to the Washington hearings, informal discussions among those now active in the Sobell campaign and people formerly active in the Rosenberg clemency campaign indicated that the possibility presently exists for successful, favorable activity.

All who participated in those discussions agreed that the overwhelming need at this moment was for the development of a bold and effective program of reaching out to millions with the story of the Rosenberg-Sobell case. It is the view of the National Committee that this national program should be brought to cities around the country by visits, by the revitalization of existing committees and groups, and by the raising of sufficient funds to launch a significant public campaign.

As a practical and important step in this direction, we are happy to announce important steps in the direction of establishing a "team" in the National office. David Alman, the former Executive Secretary of the Rosenberg Committee, has agreed to come to our Committee on a full-time basis. Aaron Schneider, who had returned to the Committee on a temporary basis, has agreed to stay on. Don Rothenberg has indicated his willingness to put himself at the service of the Committee as in the past. To these three we add as effective leadership, Helen Sobell, Joseph Brainin, Emily Alman and Norma Aronson. These people together with other members of the National Committee and the fine people in all parts of the country, constitute a national "team" of active, experienced people.

Plans are underway for a series of field trips by national office people shortly after Labor Day.

We urge you to re-examine your local program in the light of the new opportunities which present themselves for winning freedom for Morton Sobell. We desire urgently that you make your views as to the national and local programs known to us.

We hope that you will call together your local group or committee as soon as possible for the purpose of discussing a more energetic program. In addition, we suggest that immediate, practical steps be taken to increase the sale and distribution of the Wexley book and in regard to all of the other proposals for action presently before your group.

We know that all of us have a great and important task with many problems. We feel deeply, however, that by working together and

1B663

consulting together we can dispose of every problem in a way most fruitful to the campaign for Sobell's release.

Sincerely,

David Alman Helen Sobell Aaron Schneider

David Alman Helen Sobell Aaron Schneider

National Committee to Secure Justice for Morton Sobell

P. S. A summary of the Washington hearings will be ready very shortly.

18663

New York Committee to Secure Justice for Morton Sobell
1050 Sixth Ave., New York 18, N.Y. LO 4-9585

August 10, 1955.

Dear Friend:

During the last week, some twenty three people active in the movement for clemency for Julius and Ethel Rosenberg and freedom for Morton Sobell testified before the House Committee on Un-American Activities. In spite of all attempts to obscure the truth, the witnesses demonstrated that the movement in behalf of the Rosenbergs and Sobell arose because of the evidence which decisively proves that a terrible injustice has been done.

The Un-American Activities Committee is attempting to shore up the tottering structure of perjurers and informers upon which the Rosenberg-Sobell case was based. The freedom of Sobell will utterly smash that system. The Un-American Activities Committee, seeking to maintain this subversion of American justice, will continue their attempt to keep that system alive by new attacks on the movement to free Morton Sobell. They have already announced new hearings on October 3rd, 1955.

Inevitably involved in any such investigation by the House Committee is the principle of freedom of speech and association, a principle subscribed to overwhelmingly by the American people regardless of their diverse opinions on any particular issue itself. Because the clemency campaign was the largest and most important movement of our times, every attack on it directly affects the rights of millions of Americans to ask for redress of grievances.

In the early Fall, the attorneys for Morton Sobell intend to file their request for a new trial. This application will contain startling new evidence which will strengthen the sentiment for the full truth in this case.

The work of the National Committee must be augmented to win a new trial and to meet the attacks on the truth. The Attorney General's office will do all in its power to prevent a reversal of the Sobell case. We know that the truth will conquer the lies and the slander. But the truth must get to the people. For that, funds are needed urgently.

For this purpose, we have launched a national drawing for one of the finest examples of Mexican art. The painting, "Standing Women" has been acclaimed as a brilliant example of mural technique. Francisco Dosamantes, the painter of this fine work, is a leading Mexican artist. The book enclosed is worth $10.-; the coupons are 50 cents each. The drawing for this painting will take place at the end of November 1955. Use this book yourself and among your friends. Send us the money as quickly as possible. If you wish more books, please let us know, and we will be glad to send them to you.

Your help will make it possible to finance the essential court appeal for a new trial and to defeat the attempt to destroy the truth by the House Un-American Committee.

Thank you for your cooperation.

1B663

Sincerely yours,
Aaron Schneider
Aaron Schneider
FOR THE COMMITTEE

An innocent man has been sent to Alcatraz for 30 years!

MORTON SOBELL, scientist and father of two children, is now in Alcatraz serving his 5th year in prison. He was sentenced to 30 years in the Rosenberg trial although the judge admitted he had nothing to do with atomic spying. Morton Sobell maintains his absolute innocence. Newly-discovered evidence shows he is telling the truth. The new evidence proves the chief prosecution witnesses are liars.

TYPICAL WITNESS: Elizabeth Bentley (right), called the "missing link" by the court, is now exposed as a perjurer. Former Congressman Byron Scott, lawyer for one of Bentley's many victims, declared after studying Bentley's record: (New York Post, April 19): **"All of her statements that are susceptible to check have been checked against the known facts, and we have found her statements could not have been correct."**

TYPICAL LIE: Bentley claimed an air force major secretly tipped her her off in advance about General Doolittle's air raid on Tokyo. BUT—Scott uncovered that the "major" she named was a civilian until six months after the raid.

Yet the testimony of this same lying witness helped send the Rosenbergs to their death and Morton Sobell to Alcatraz—even though she had to admit she never met them.

THE MISSING LINK

Can any American be secure so long as people can be executed and imprisoned on the word of such perjurers?

Hear more facts on the Sobell case

CARNEGIE HALL, Thurs., June 16, 8 p.m.

Seventh Ave. and 57th St.

In memory of the Rosenbergs

- New musical composition "In Memory of Two Martyrs"
- New Play "The Innocents"
- Guest Speakers

Admission: $1.25 (tax incl.)

Tickets available at:

COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL, 1050 6th Ave. (at 40th St.), N. Y. C.

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1B663

Committee to Secure Justice for Morton Sobell
1050 Sixth Ave., New York 18, N.Y. LO 4-9585

May 26, 1955.

Dear Friend:

Enclosed is a copy of a new leaflet which should get the widest distribution. It combines the announcement of the memorial on June 16th and important informative material.

It is the first in a series of brochures which expose the perjuries in the Rosenberg-Sobell case.

Please arrange for distributions at once. Leaflets may be obtained at the Committee office for $5.00 per thousand.

Sincerely yours,

Aaron Schneider

Aaron Schneider
FOR THE COMMITTEE

13663

Committee to Secure Justice for Morton Sobell
1050 Sixth Ave., New York 18, N.Y. LO 4-9585

May 26, 1955.

Dear Friend:

Today, more than ever, there exists the possibility for the vindication and freedom of Morton Sobell. The use of motivated witnesses by the Justice Department has been unmasked as a fraud on the American people. More and more Americans are speaking out for a return to the traditional freedoms which have made America great.

By an administrative action, Morton Sobell has been incarcerated in Alcatraz, America's cruelest prison reserved for habitual criminals and prison troublemakers. Alcatraz is 3000 miles away from Mr. Sobell's attorneys and the courts of jurisdiction in the case. He has been deprived of the right to see his two children. This has been done because Mr. Sobell has steadfastly asserted his innocence of the charge, "conspiracy to commit espionage," and has refused to join the ranks of the informers and perjurers in the service of the Attorney General.

Morton Sobell can be freed. Ethel and Julius Rosenberg, his co-defendants, gave their lives to preserve an America of peace, liberty and justice.

Your help is needed now to spread the truth throughout the world; to place ads in the metropolitcan press; to press the legal fight; to carry on investigations. Morton Sobell needs and deserves his freedom. You can help make it possible.

We are enclosing a contribution book for you to circulate among your friends. Please sell the memorial certificates as quickly as possible and return the money to our committee between now and June 16th.

You can obtain additional books for your friends and fellow committee members by calling the committee office.

Sincerely,

Aaron Schneider

Aaron Schneider
FOR THE COMMITTEE

1B663

National Committee to Secure Justice for Morton Sobell
1050 Sixth Ave., New York 18, N.Y. LO 4-9585

SPECIAL MEMO ON WEXLEY'S "JUDGMENT OF JULIUS AND ETHEL ROSENBERG."

Glen Partridge of Montreal, Canada, writes to Helen Sobell:

"I have just finished reading John Wexley's book. And though I had already gone most studiously through the trial records and the various appeals to the Higher Courts this tremendous story of the whole case reveals in new way the terrible injustice that was done to Ethel and Julius Rosenberg and your own dear husband. The book will be a powerful weapon in securing the release of Morton from Alcatraz and in winning his acquittal and freedom. We in Canada pledge you our support again now when some important victories are being won. They will certainly not be the last."

This is the experience of everyone who reads the book. Wherever it is circulated it is winning new adherents to the cause of justice for Morton Sobell.

We have distributed some 1900 books which is a good achievement for the first three weeks of publication. It must be said, however, that no city is meeting the real potential in the sale of this great work. Distribution of "The Judgment" is the main task before us for the next number of months. In the Fall, Morton Sobell's case will be taken to court for the purpose of winning a new trial. Many thousands of copies of Wexley's book will be a great step in the winning of public opinion to back up the court action.

We ask you to do the following things now to help:

1. Start a program of popularising the book through talks at clubs, organizations, etc. Hold small parties and affairs to sell the book and raise money for additional copies.

2. Call and visit your local newspaper. Ask them to review the book.

3. Write letters to your local newspaper commenting on "The Judgment".

4. Ask for and order books from your local bookstores, department stores, etc.

5. Raise money to buy books for important people in your community. Visit these people and urge them to read the book.

6. Secure comments on the book from those people who have read it.

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7. Secure and send to the National Committee special book funds to be used to distribute books to hundreds of distinguished Americans best reached on a national scale. The slogan, "Buy a Wexley book for yourself, and one for the National Committee" should be followed.

8. Money for books should be remitted at once. We cannot fill the orders we have unless the publisher is paid. He must pay the printer, etc. to get the books published. Books unpaid for make it impossible to distribute more books.

9. Wherever possible, take orders for books with money enclosed.

This historical work inspires all who come in contact with it. Mr. John Wexley has devoted three years of his fruitful life in selfless dedication to the work of writing "The Judgment." The publishers have gotten the book out despite of all obstacles. They have shown great courage and devotion to the cause of the American people.

Without you there is no Wexley book. By your work in the Rosenberg-Sobell case, you have made the book possible. Only to the extent that you will distribute it will the book have meaning and relevance. Upon you rests whether this book will be a contribution to American justice, and justice for Morton Sobell.

Let us hear what you will do.

Sincerely,

Aaron Schneider

Aaron Schneider
FOR THE COMMITTEE

RECEIVED 7-25-55
FROM CSNY43-S
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1B663

CLASS OF SERVICE

This is a fast message unless its deferred character is indicated by the proper symbol.

WESTERN UNION

TELEGRAM

W. P. MARSHALL, PRESIDENT

1201

SYMBOLS

DL = Day Letter

NL = Night Letter

LT = International Letter Telegram

The filing time shown in the date line on domestic telegrams is STANDARD TIME at point of origin. Time of recep... ...ARD TIME at point of destination

(45)

NBA401 DL PD=SI NEW YORK NY 7 801PME= 1955 JUN 7 PM 8 48

DR W E B DUBOIS=

=31 GRACE CT=

CORDIALLY INVITE YOU AS OUR GUEST TO COCKTAIL RECEPTION TO AUTHOR PLAYWRIGHT JOHN WEXLEY ON PUBLICATION HIS NEW BOOK THE JUDGMENT OF ETHEL JULIUS ROSENBERG TUESDAY JUNE 14 FOUR-THIRTY ROSE ROOM GREAT NORTHERN HOTEL 118 WEST 57 STREET NEW YORK=

ANGUS CAMERON HELEN SOBEL

=118 57=

18664

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

RECEIVED 7-25-55
FROM CSNY48-S
EG -7- job

Issued as a Public Service by
THE NATIONAL COMMITTEE TO SECURE JUSTICE
FOR MORTON SOBELL IN THE ROSENBERG CASE
1050 SIXTH AVE., NEW YORK 18, N. Y.

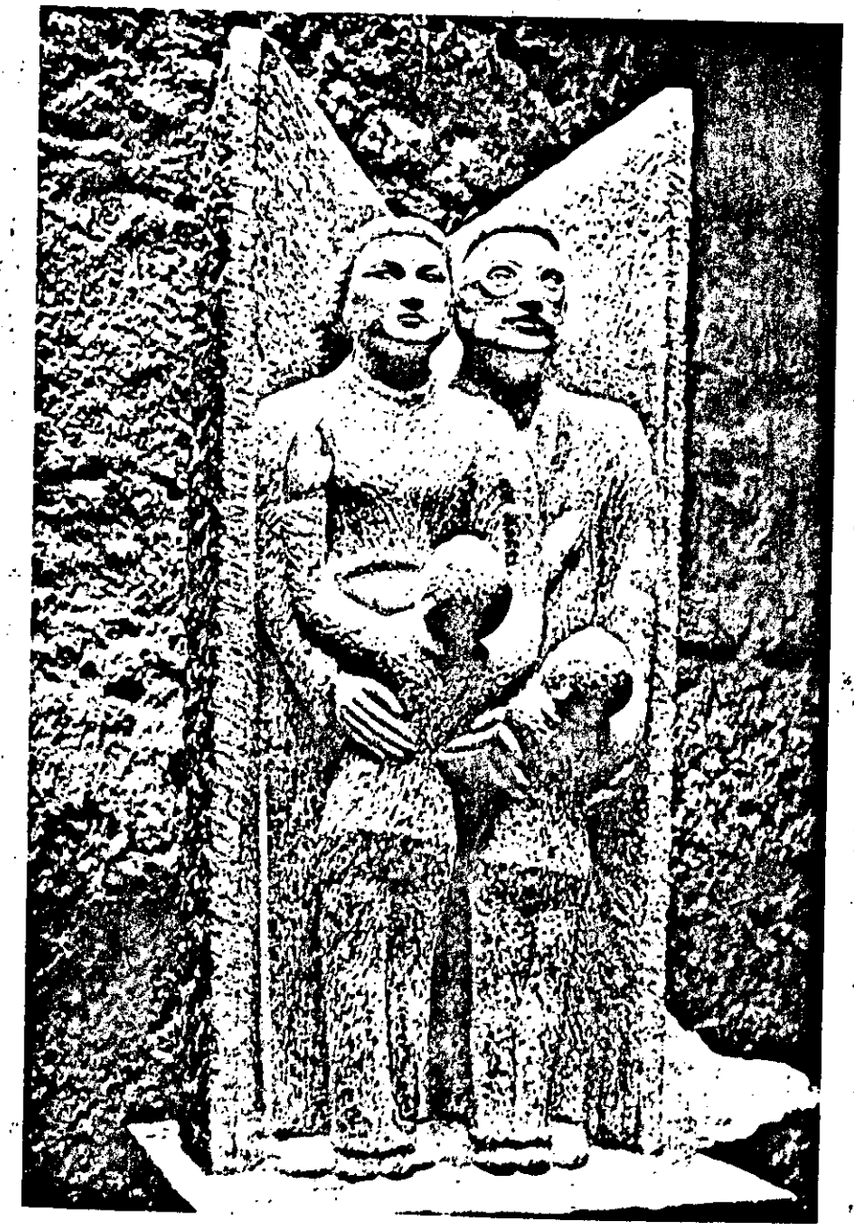
18665

"Never let them change the truth of our innocence"

ETHEL AND JULIUS ROSENBERG

June 19, 1953 — June 19, 1954

18665



Monument by George Salendre, Paris, 1954

IF WE DIE

by Ethel Rosenberg

You shall know, my sons, shall know
why we leave the song unsung,
the book unread, the work undone
to rest beneath the sod.

Mourn no more, my sons, no more.
why the lies and smears were framed,
the tears we shed, the hurt we bore
to all shall be proclaimed.

Earth shall smile, my sons, shall smile
and green above our resting place,
the killing end, the world rejoice
in brotherhood and peace.

Work and build, my sons, and build
a monument to love and joy,
to human worth, to faith we kept
for you, my sons, for you.

Ossining, N. Y., Jan. 24, 1953

1B665

"The integrity of justice as it is administered in the United States is at stake."

—Dr. Harold C. Urey

atomic scientist

DR. HAROLD C. UREY

asks justice for

MORTON SOBELL

1B 666

The New York Times

UREY DENOUNCES ATOM SPY'S TRIAL

Charges Sobell Verdict Was 'Not Justified'—He Also Defends Rosenbergs

Special to The New York Times.

CHICAGO, Feb. 12—Dr. Harold C. Urey ... winner and ...

Urey Hits Rosenberg, Sobell Trials

Chicago American 10—Sun., Feb. 13, 1955

night said that Morton Sobell, convicted of conspiracy to commit espionage and ... a 30-year sentence ... "was not pro...

The Nobel scientist said "t... sentence were ... said added th... bergs, with wh... trial were not ... of the crime ... were executed.

Dr. Urey spok... in the Hamilton ... auspices of the C...

Integrity Of Justic... At Stake, Says Ure...

Harold C. Urey, Nobel Prize-... scientist, told a dinner ... in his honor he ... integrity of justice, as it is ad... in the United States, ...

and executed, while Sobell, ... as their conspirator ... Alcatraz ... espionage.

At his testimonial dinner ... urday night in the Ham... Hotel—a dinner sponsore... the Chicago Sobell Comm... —Urey said he is "of the ... that Sobell "was not ... ried and that the v... tence were not ... ey said he do... Rosenbergs ...

Chicago Sunday Tribune
February 13, 1955
Part 1—Page 34 F

SCIENTIST UREY HOLDS SOBELL UNFAIRLY TRIED

Speaks at Meeting to Raise Appeal Funds

Dr. Harold Urey, Nobel prize winning atomic scientist, said last night that the espionage trial of Julius and Ethel Rosenberg and Morton Sobell "was not in the best tradition of American justice."

Urey spoke before 6... persons at a $6.50 a pl... dinner in the Hamilton hot... The dinner was sponsored ... the Chicago Sobell comm... ee for t... dual purpose of h... oring U... as a scientist and ... ing fu... to finance petitions ... or a n... trial for Sobell or for ... tra... fer to another pen... from Alcatraz, where he is ... ing a 30 year sentence.

Holds Verdict Unjustified

Sobell, a New York scien... and engineer, "was not p... erly tried and the verdic... the sentence were not ... fied," Urey asserted, ... that "inclusion of th...

JOURNAL
Atlanta, Ga.

Sobell Trial Hit by Urey

CHICAGO, Feb. 12 ...
Harold C. Urey, Nobel ...

Text of an address by Dr. Harold C. Urey, atomic scientist and Nobel Prize winner, at a testimonial dinner given in his honor by the Chicago Sobell Committee on Feb. 12, 1955, Hotel Hamilton, Chicago, Ill.

Naturally I am pleased that so very many good people have seen fit to honor me this evening. Also, I am pleased that Mrs. Sobell should present this scroll to me and thank her for her very kind words. But in a certain way the honor is of minor importance to me, certainly very minor as compared to other things associated with the activities of this evening.

As I am sure you all know, this occasion was organized from the beginning by people who believe, with me, that the Rosenberg-Sobell trial was not in the best tradition of American justice. I hope my friends who signed this scroll understood this.

I have not been personally acquainted with either the Rosenbergs or the Sobells. I am not unmindful of the terrible tragedies that have come to their lives and am very sorry about these matters, but my concern with this trial has stemmed more from a belief that the integrity of justice, as it is administered in the U. S., is at stake. If proper trials cannot be secured for unpopular people—and it is evident from the publicity of this trial that all those charged with crimes were unpopular—then it will become impossible to secure justice for other somewhat less unpopular people and so on until no justice is possible at all.

The power of our government is very great and it can afford to be just because of that great power. But there is an illness in this country since the war from which we will surely recover in time. This illness arises from a sense of insecurity and this sense of insecurity is due to the loss of our natural security barriers, namely: the Atlantic and Pacific Oceans. Our danger from foreign foes is now greater than it has ever been before in our history. This danger comes from the long range effectiveness of the aeroplane, as a carrier of powerful military weapons and to the existence in the world of a powerful revolutionary country, whose rulers do not accept the fundamental concepts of our way of life. There is a life and death struggle going on between these ways of life and I am convinced that each group is really determined to eventually destroy the other. I am in favor, as we all are, of the preservation of our way of life and I am sure that we will win in the long run and hope that the war stays cold.

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This concern with our basic security as a country has led many people, often in high places, to look for a scape goat, that is, an easy way to solve our difficulties. That scape goat has been spies, espionage agents, subversives in government. I do not condone such agents, but if all communists and all communist sympathizers should quietly die, the fundamental insecurity of this country would be the same as it is now. This very well justified concern for our security in a modern, dangerous world has led us to do things which will undermine our way of life, our form of government, our freedoms. This is my primary concern in this matter. I welcome this dinner and this scroll as a means of fighting one angle of hysteria, one bad case of injustice, as I view it.

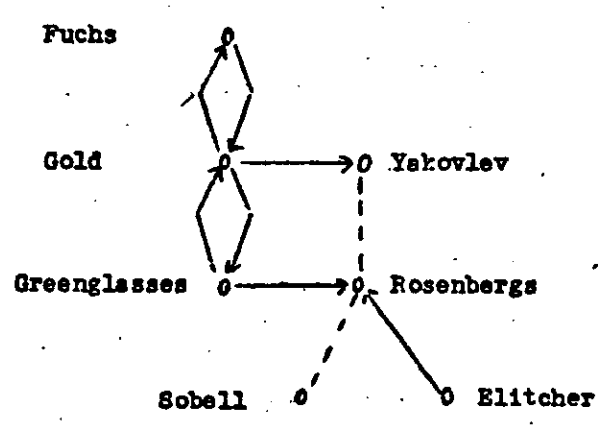
There are many things of this kind, such as: the Oppenheimer hearings, Condon's clearance problems, the Lattimore case, passport problems, visa problems, etc. If I do not do anything about some of these things it is because of lack of energy to do so or because many other people have protested them. Perhaps the most disturbing feature of many of these procedures is the increased use of the professional informer by the Department of Justice and Congressional Committees. Recently one of these informers, Mr. Matusow, has stated that he has given false testimony and has accused Mr. Roy M. Cohn of complicity, which Mr. Cohn has denied. This specific accusation reminds one that Mr. Cohn was assistant prosecuting attorney in the Rosenberg-Sobell case. However, I warn you all that, in my opinion, communists, reformed communists and reformed reformed communists are not particularly reliable. I do not believe that they are reliable when they accuse Mr. Cohn nor when they accuse Mr. Lattimore nor when they accuse Mr. Sobell. Yet I am of the opinion, after study of the record, that Mr. Cohn's side of this story is incorrect and that Mr. Sobell was not properly tried and that the verdict and sentence were not justified.

One cannot separate the discussion of Mr. Sobell from a consideration of the Rosenberg case. In fact, one finds it difficult to understand what the evidence was against Mr. Sobell—for it was certainly far less important than that against the Rosenbergs. In fact, the great concern about the latter generally obscured the interests of Sobell. I wish to give you a brief outline of the case for I am sure many of you are not acquainted with the case and its general structure. Being a scientist, I have made a diagram of the case which enables me to understand the relationships.

The alleged conspiracy is represented by the diagram (Fig. 1). In this diagram an arrow pointing from individual A to individual B means that A testified that he had contact on espionage matters with B. No such arrow means that the individual denies such contact or there is no testimony. A broken line means assumed contact but no evidence or only indirect evidence. Gold admitted that he gave information to Yakovlev, but Yakovlev escaped from the U. S. and was not apprehended. Gold and Fuchs both admit contact. The Greenglasses admit that they gave information to Gold and that they received $500 from Gold which he said he received from Yakovlev. The money was accounted for in the Greenglass' bank account. They agreed that they matched the pieces of the gelatin box top. Gold said he received his half from Yakovlev. The Greenglass portion was in Mrs. Greenglass' hand bag. They say that they received this from Rosenberg and that the division of the gelatin box top occurred in the Rosenberg apartment. The guilt of the Greenglasses and Gold was agreed to by all three. The Rosenbergs denied dividing the gelatin box lid or giving it to the Greenglasses.

The Greenglasses say that they gave information to the Rosenbergs and that they were recruited into espionage by the Rosenbergs. The Rosenbergs denied this, and denied that they had anything to do with espionage of any kind. They maintained that their contacts were the normal relations of in-laws. (Mrs. Rosenberg was David Greenglass' sister). Elitcher and Sobell were college acquaintances of Rosenberg. Elitcher testified that he and Rosenberg discussed espionage several times, although he maintained that he and Rosenberg never

FIGURE 1



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gave each other any secret information. Elitcher had been a communist; he had sworn in connection with his employment on war work that was not, and thus had committed perjury. He testified that this was so and that he hoped for clemency as he testified against Rosenberg. He has not been indicted. Elitcher testified that he drove from Washington to the home of Sobell in 1948 and that he thought he was being followed by F.B.I. agents. He says that when he reached Sobell's home, Sobell was much disturbed by his arrival with F.B.I. agents on his trail, and that thereupon the two took a can, presumably containing photographic film, to the neighborhood of Rosenberg's home. Elitcher said that he waited in the car while Sobell delivered it. This is the only evidence of an overt act on the part of Sobell introduced at the trial. Sobell did not take the stand in his own defense. Hence a broken line in the diagram.

The Rosenbergs denied all espionage contacts with Elitcher and Sobell.

No evidence was introduced to prove contact between Yakovlev and the Rosenbergs. Gold's testimony established no contact between him and the Rosenbergs. Greenglass testified that Rosenberg tried to get him to go to college to study atomic physics in order to be more valuable as an espionage agent, and the Government inferred that Julius Rosenberg was the center of an important spy ring. No evidence, beyond that mentioned above, was introduced in support of this.

The Rosenbergs denied all accusations but refused to answer questions relative to membership in the Communist Party. They did admit to a very leftish political point of view. They never, at any time, admitted any traitorous act. Many people with whom I have discussed this case do not know this, and I, therefore, emphasize it. Had they made any such admission, I would have never spoken one word in regard to the case.

In general, it is easy to deny accusations, but it is difficult to make false accusations without inconsistencies appearing in the testimony, and for this reason it is important to consider the details of the testimony against the Rosenbergs in order to judge its reliability, and it is important to consider motives and opportunity for wrongly accusing the Rosenbergs. Also, if one assumes that the evidence against the Rosenbergs was perjured, it is necessary to be able to account for the essential facts by some other set of contacts. I believe that the essential evidence for the conviction of the Rosenbergs was that given by David and Ruth Greenglass, that their testimony contains unbelievable statements, that the plausibilities of certain details of their testimony can be explained, that they had powerful motives for involving the Rosenbergs unjustly, and, finally, that all the facts of the atomic espionage can be accounted for without the involvement of the Rosenbergs at all.

Elitcher testified to several conversations with Sobell in which espionage was discussed, but that no information ever passed between them. Do espionage agents constantly discuss their activities with old college friends without getting any information? This seems most improbable. The tale that Elitcher, who had never engaged in espionage, told of accompanying Sobell on an espionage errand when he believed F.B.I. agents were following him seems to me to be completely fantastic. Why choose to do this right under the eyes of the F.B.I.?

The bitterness that the case has aroused and the sentence imposed on the Rosenbergs and on Sobell was justified by Judge Kaufman on the basis of atomic espionage and yet no evidence was given connecting Sobell with this activity at all. In fact, no evidence was given except that relating to the transfer of a can containing 35 mm. film, and that by a confessed perjurer hoping for leniency.

Sobell was convicted and sentenced on the basis that he was part of a conspiracy and hence was guilty of many things which he personally did not do. Judge Jerome Frank stated that he should have been tried on a separate conspiracy. Judge Kaufman stated to the jury that they could not find Sobell guilty unless they believed Elitcher. I find Elitcher's testimony very doubtful —in fact, I find it most unconvincing. We should note that no court passed on the credibility of the testimony of any witness, due to the fact that higher Federal Courts do not review this question. The Supreme Court of the U.S. has refused to accept jurisdiction and this does not constitute a review of the case.

However, to return to the general case, we need to recognize that some espionage was performed. Fig. 2 shows an alternative diagram of the case. This differs from the first case only in the shifting of the arrow from the Greenglasses to the Rosenbergs to an arrow from the Greenglasses to Yakovlev. A contact to another agent of the U.S.S.R. would serve as well.

If the Greenglasses had direct contact with Yakovlev or other Russian agents all the requirements of the other testimony are met. A gelatin box lid was divided. Gold presented one half at Albuquerque which he said

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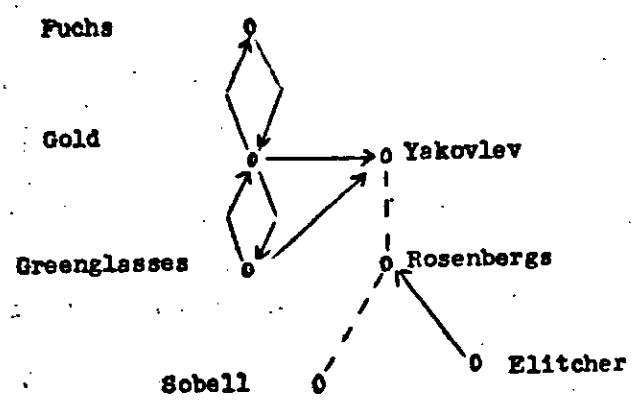
he got from Yakovlev. The Greenglasses had the other half which they said they received from Rosenberg. On this basis Rosenberg gave the other half to Yakovlev and he in turn gave it to Gold. But, suppose Yakovlev divided the lid and gave one half to Gold and the other to Greenglass or to Mrs. Greenglass. In this case Rosenberg was unnecessary. Also, the Greenglasses can tell a very realistic tale of the division by substituting the Rosenbergs for Yakovlev. In fact, the inclusion of the Rosenbergs in the conspiracy makes no sense at all. They are unnecessary unless Julius was, indeed, the head of a big espionage ring, and the proof of the existence of that ring is non-existent up to the present time. If only the Rosenbergs had confessed! But we are reasoning in circles. The Rosenbergs were unnecessary to the plot and would have been only another point where the entire espionage effort could have been discovered.

If Yakovlev, or another Russian, could contact the Rosenbergs, why could he not contact the Greenglasses, and then why pass $500 through the Rosenbergs' hands instead of giving it to the Greenglasses directly? Would you confess to being the head of a non-existent spy ring and let your children live under that stigma, or would you go to the electric chair maintaining your innocence? The letters of the Rosenbergs written to each other in Sing Sing prison give their answer to exactly this question.

Note where this diagram leaves the Rosenbergs and Sobell. Both are completely out of the atomic espionage ring and now we ask what did they do? Even the confessed perjurer's testimony, except for the one overt act, only states that they talked espionage without ever doing any. Well, one should not talk espionage and if they had been given five years at Lewisburg, we might think justice had been done—that is, if you believe the testimony. I do not believe the testimony.

FIGURE 2



On such a basis, two people have been executed and one is in prison for 30 years on Alcatraz. And where are the surely guilty ones? One, David Greenglass, is in Lewisburg for 15 years. Two others, Ruth Greenglass and Max Elitcher, have never been indicted and tried.

Would it not be a wonderful trick for the communists if they could get innocent people sent to the electric chair and imprisoned for 30 years and get guilty ones set free or given moderate sentences? This is exactly what I think has occurred. This is one point to which the current hysteria has carried us.

MOTIVES

Elitcher had committed perjury and at the time of his testimony had not been indicted, tried and sentenced. He has not been so indicted or tried since. Had he been sentenced, no matter to what term, at the time of his testimony he would still have been anything but a reliable witness. I do not trust communists nor ex-communists nor perjurers, and I am sure that this view is shared by many others. But when pressure is put on such people, I trust them to do whatever they think necessary to get themselves out of their difficulties, especially when wives and children are involved. Surely Elitcher was tempted to give the testimony that the government wished to have.

The Greenglasses have admitted to a crime for which the maximum penalty is death. It is a custom in the United States to give consideration in sentencing a criminal to the degree of co-operation which he has given to the law enforcement authorities during the preparation and prosecution of the case. I suppose that criminals are advised of this situation by their attorneys or in other ways. At the time of the trial, David Greenglass had been indicted and was on trial but had not been sentenced, and the sentence could have been death. Ruth Greenglass has never been indicted and she was not a defendant in the trial. David Greenglass was given a 15 year prison sentence. It seems to me that the hope of lenient treatment must have constitued a motive for co-operation with the prosecution.

But "cooperation" is not synonymous with perjury and accusation against innocent people. Or is it? Does it

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not depend on what the facts are? If the Greenglasses' contact was Yakovlev and not the Rosenbergs (see Fig. 2), the revelation of this fact would have given the government nothing since Yakovlev was in Russia. What takes place in a criminal's mind when he is trapped and the electric chair appears in his dreams? I do not know, but it seems likely to me that both the Greenglasses would have confidently expected 30 year prison terms if they had admitted that their contact was with Yakovlev or some other agent of the U.S.S.R.

People ask why the prosecuting attorney and the F.B.I. and the judge should wish to see two insignificant people put to death unjustly. After considerable conversation with lawyers on this subject, including one who worked on the government side of the case, I conclude that lawyers are more interested in the law than in justice. Mostly they are interested in whether all the legal machinery functions according to all the rules, and are not in the least interested in the argument presented in this paper. There are exceptions, of course, as for example Professor Stephen Love and Professor Sharp, who helped the defense during the last weeks of the case without remuneration once he believed that a serious miscarriage of justice had occurred. However, it is my belief that the prosecution believed the Rosenbergs guilty. Once having believed the Greenglass account and having based the prosecution on this it would be difficult to adopt another point of view later. In fact, people do not allow themselves to be convinced that they have made such a horrible mistake as I believe has occurred. Once the government adopted this theory of the case, all concerned with it were trapped and were forced to continue to believe it.

CONCLUSION

I cannot review in a talk of this kind all the details of this case. This is better done by lawyers anyway. I commend to you Professor Love's statement on the case and Professor Sharp's book on the subject. But also a word in my own defense in presuming to say anything about the case. We have public trials in this country. The purpose of this surely is not to provide a Roman holiday, a substitute for a gladiatorial combat; but this is done so that each of us can judge the conduct of the trial. This means that you and I have the right to criticize the court, the jury, the prosecution, the defense, everything about it. In criticizing this case, I am exercising certain rights that were mine at birth and I wish to keep them until death. We all of us have the right to form an opinion in regard to these matters and mine is adverse in regard to this case.

I also wish to make a statement in regard to a remark that has come to me from a number of scientists. They say essentially, "Well, if you only knew what I know," or rather mostly, "if you only knew what someone I know knows about the case!" The inference always is that much secret information exists that proves everything but for security reasons, it cannot be made public. My answer to that is that I do not believe this inference and do not believe people should be executed and imprisoned on secret evidence. I have discussed this question with a man, who saw some of the secret data at least. He says that Greenglass' paper looked to be genuine and that it contained valuable information. I have accepted this as fact, but does a paper tell you to whom the paper was given? My reply to these insinuations has been just as I have said above. There has been no answer to them. Before I accept these statements they must be told publicly so that we all can judge them.

I have been interested in this case and shall be interested in other similar cases because of my concern for the integrity of justice in this country. It is better to review a case in which we believe injustice has been done than to wait for the next one, when further injustice may occur. Will you not all try to do something about this series of doubtful trials or quasi judicial procedures that threaten our security as individuals living in a great free country.

I thank you all again for this dinner and scroll.

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Helen Sobell, wife of Morton Sobell, presents Dr. Urey with a bound volume of some 6,000 scrolls signed by prominent persons throughout the world honoring Dr. Urey for his achievements as a scientist and contributions as a citizen.

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RECEIVED 7-25-55
FROM CSNY48-S
EG :3- jsb

Other Facts and the Full Trial Transcript Available at

COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL

1050 Sixth Ave., New York 18, N.Y., LO 4-9585

NATIONAL COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
1050 Sixth Avenue, New York 18, N. Y.

JUL 26 1955

PRESS RELEASE
FOR IMMEDIATE RELEASE

PARDON ATTORNEY ANSWERS REQUEST
FOR PARDON FOR MORTON SOBELL

NEW YORK, July 22, Acting Pardon Attorney, Kenneth V. Harvey, in a letter released today by Mrs. Morton Sobell upon her return from visiting her husband in Alcatraz writes that "We shall look into Mr. Sobell's case in the light of the representations made in your communication to the President and advise you further as promptly as is practicable."

The letter from the Justice Department was in reply to a letter by Mrs. Sobell to President Eisenhower in which she called attention to the following facts:

1) [illegible] entire trial no witness ever testified that my husband had ever given or received any secret material.

2) The one witness upon whose testimony my husband was convicted Max Elitcher, admitted that he was subject to a perjury charge and therefore anxious to please the authorities hoping thus to escape punishment.

3) The entire trial was tainted by the perjured testimony of five other witnesses. This testimony was completely unrelated to my husband but reflected on him because in a conspiracy trial, as you are aware, each accused person is made responsible for all acts of any co-defendant.

It was in this way that my husband became a victim of the hysteria engendered around the atomic spy accusations. These statements can be verified from the trial record and other documents which have come to light since the trial. This new evidence proves conclusively that not only was there perjury during the trial on the part of six witnesses but that from the beginning my husband was deprived of every right under the law. Initially he was brutally kidnapped while lawfully in Mexico. His arrest, his imprisonment, his conviction and sentence have been characterized by a coercive vindictiveness.

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Morton Sobell, serving a 30-year sentence in Alcatraz, continues to believe his innocence will be established, Mrs. Sobell wrote in her reply. The recent trial in Dayton, Ohio in which one of the chief witnesses in the Rosenberg-Sobell trial, Harry Gold, was not believed by the jury means that "the truth regarding psychopathic liars and paid informers is beginning to come to light." At the Dayton trial the attorney for the defense used a book written by the noted author, John Wexley, entitled "The Judgment of Julius and Ethel Rosenberg" in cross-examining Harry Gold. "I am sending you a copy of this book", Mrs. Sobell wrote to the Pardon Attorney, "it contains much material which will convince you of my husband's innocence. I know you will give every consideration to undoing a grievous mistake which has resulted in depriving my husband of five years of his life, and my children of their father's care. This case has aroused grave questions and much sympathetic attention throughout the world, I pray that these considerations can be resolved in the favor of a man whom I know is innocent, and whom I love dearly."

The complete text of the letter from the Department of Justice signed by Mr. Harvey and Mrs. Sobell's reply are attached.

*****

RECEIVED 3-1-55
FROM CSNY48.S
- 4 -

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New York Committee to Secure Justice for Morton Sobell
1050 Sixth Ave., New York 18, N.Y. LO 4-9585

September 7, 1955.

Dear Friend:

Labor Day has come and gone. Now we must get to work. The "Assembly for Justice" at Carnegie Hall is on September 29th and we have a lot to do to make it the success so necessary to our common endeavor.

We are proud and happy to announce that Waldo Frank, the eminent author and critic, has consented to be a speaker on September 29th.

The New York Committee will meet on Wednesday, September 14th, at 8 p.m. at the Committee office. We urge you to attend.

A full report on program, and future activity will be made.

Sincerely yours,

Aaron Schneider

Aaron Schneider
FOR THE COMMITTEE

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New York Committee to Secure Justice for Morton Sobell
1050 Sixth Ave., New York 18, N.Y. LO 4-9585

FROM C.SNY48-2

July 8, 1955.

RECEIVED 7-52-55

Dear Friend:

While we are getting ready for our summer vacation, let us not forget that an innocent man is completing his fifth year in prison, and that the work to uncover the truth in the Rosenberg-Sobell case must go on.

The discrediting by the jury of Harry Gold in the Dayton trial and the acquittal of Benjamin Smilg was a tremendous victory and due solely to the disclosures in John Wexley's book, "The Judgment of Julius and Ethel Rosenberg."

Our committees all over the country and our friends abroad are reporting new and intensified activities.

At our next meeting on

WEDNESDAY, JULY 13, 8 p.m.

in the Committee office, 1050 Sixth Ave.

plans will be discussed how we can most effectively carry on the work during the summer months so that whether in the city or in the country you can help to bring the time closer when Morton Sobell too can spend a vacation together with his wife and his children.

We are counting on your presence.

Sincerely,

Aaron Schneider

Aaron Schneider
FOR THE COMMITTEE

1 B668

National Committee to Secure Justice for Morton Sobell
1050 Sixth Avenue, New York 18, N.Y. LO 4-9585

PRESS RELEASE

FOR IMMEDIATE RELEASE

SENATOR LANGER, WALDO FRANK,
JOHN F. FINERTY TO SPEAK AT ASSEMBLY FOR JUSTICE
SEPT. 29th AT CARNEGIE HALL

NEW YORK, Sept.13--The national Committee to Secure Justice for Morton Sobell announced today that on September 29th, 1955 at 8 p.m. at Carnegie Hall there will be held an Assembly for Justice for Morton Sobell. The gathering will urge a new trial and a full investigation by the Senate Sub-Committee on Civil Rights which is opening its hearings on October 3rd. Morton Sobell is serving his sixth year at Alcatraz as a result of his conviction as co-defendant with Ethel and Julius Rosenberg.

Speakers at this great gathering will include United States Senator William Langer (Rep.N.D.), the ranking Republican member of the Senate Judiciary Committee, Waldo Frank, novelist and essayist, and John F. Finerty. Mr. Finerty was co-counsel with Emanuel Bloch in the Rosenberg-Sobell case, and counsel in the Sacco-Vanzetti and Tom Mooney cases. He is also a member of the board of the American Civil Liberties Union.

In all parts of the country, support for a new look at the facts in the Sobell case is evidencing itself. Dr. Philip Morrison, distinguished physicist, in a message to the committee for Sobell expressed the view of thousands of Americans when he stated, "Morton Sobell is perhaps more than any living American the sufferer from the rage and fear which now are beginning to leave our land. A just review of his cruel sentence is a necessary step in our path back to calm decency. Let us work for that step, not for his sake only, but for our own."

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National Committee to Secure Justice for Morton Sobell
1050 Sixth Ave., New York 18, N.Y. LO 4-9585

SEP 15 1955

PRESS RELEASE

FOR IMMEDIATE RELEASE

WARREN K. BILLINGS TO SPEAK AT
CARNEGIE HALL ON SEPT.29th FOR MORTON SOBELL

NEW YORK, Sept.14--The National Committee to Secure Justice for Morton Sobell announced today that Warren K. Billings will speak at the Assembly for Justice on Thursday, September 29th, at Carnegie Hall. Mr. Billings was a co-defendant with Tom Mooney, and served twenty-three years in San Quentin Prison in California. Both Mooney and Billings were finally pardoned by Governor Olson after years of world-wide expressions of support by people in every walks of life. The case of Mooney and Billings is universally recognized as an atrocious frameup by the prosecuting authorities.

Mr. Billings will be joined on the platform of the Carnegie Hall meeting by United States Senator William Langer (Rep.N.D.), Waldo Frank, distinguished novelist and essayist, and John F. Finerty, attorney in many major civil liberties cases.

The committee for Morton Sobell has asked the Senate Sub-Committee on Civil Rights to conduct hearings on the behavior of the Attorney General's office in the case of Morton Sobell. Mr. Sobell was co-defendant with Julius and Ethel Rosenberg. He is now in his sixth year of a 30 year sentence in Alcatraz prison.

John Wexley's monumental analysis of the Rosenberg-Sobell case, "The Judgment of Julius and Ethel Rosenberg" is arousing great interest throughout the United States. The latest review of Mr. Wexley's book appears in the "Library Journal" for August, 1955. The review states, in part, "Wexley emphasizes the point of

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view of many here and abroad, anti-Communist as well as Communist, that the Rosenbergs were victims of a national state of hysteria. He also claims that the testimony of Greenglass and Gold, chief government witnesses, was fabricated from half-truths under the direction of the prosecution; and that the judge was not impartial. The book is an emotional one and a convincing one, although the logic of some of the arguments against points in the government case is at times quite specious."

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PROGRAM

* Angus Cameron, publisher
  Chairman

* David Alman, novelist
  "The Injustice Against Morton Sobell"

* Waldo Frank, novelist

* Rose Sobell, mother of Morton Sobell

* Warren K. Billings, defendant in the
  Mooney-Billings case

* Yuri Suhl, poet-novelist

DUET: Martha Schlamme and Nadyne Brewer

* Edna Griffin
  "The Nation Fights for Justice"

* Helen Sobell, wife of Morton Sobell
  Introducing Senator Langer

* William Langer, U.S. Senator

Note: Letters urging an investigation of the Constitutional questions in the Rosenberg-Sobell case should be addressed to:

Senator Thomas C. Hennings
Senate Subcommittee on Constitutional Rights
U. S. Senate Office Building
Washington, D. C.

1B671

The Judgment of Julius and Ethel Rosenberg

(672 pages, including photostats of vital documents)

PRICE: $6

What John Wexley's Book Can Do for America...

- It will help free Morton Sobell from the living death of Alcatraz, where he is completing the 5th year of the 30-year sentence pronounced by Judge Kaufman.
- It will help make known the truth about the most important political trial of our generation and vindicate the Rosenbergs.
- It will help restore America to the path of reason and justice by illuminating the entire era of false witnesses and fraudulent trials.

We ask you not only to BUY this book ...We ask you to SELL It!

THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG [illegible] only exciting reading, but also MUST reading for you[illegible] your acquaintances, and for important leaders [illegible] munity. So that millions of people may learn th[illegible] in this book, everyone with a passion for just[illegible] a distributor of this giant among books.

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HOW MANY COPIES WILL YOU ORDER [illegible]LY?

SOBELL COMMITTEE
Room 2
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New York City 18, N.Y.

Please send me _____ copies of (The Judgment of Julius and Ethel Rosenberg). Enclosed find $ _____
Price: $6 plus 25 cents postage.

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Note: Checks may be made payable to the SOBELL COMMITTEE or to SARAH LICHTENBERG.

RECEIVED FROM

the Judgment of Julius and Ethel Rosenberg

by John Wexley

THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG, published by Cameron and Kahn, will surely be considered the classic, definitive work on the world-important case with which it deals.

JOHN WEXLEY

Author John Wexley, in relentlessly probing the Rosenberg-Sobell case, has interviewed scores of participants, traveled the same routes which the key prosecution witnesses said they traveled, and checked and double-checked every aspect of their stories. He has sifted the personalities and psychological motivations of every major character. As a result, he has uncovered important new evidence of fraud and perjury in the prosecution's case against the Rosenbergs and Morton Sobell.

He has woven all this together with painstaking documentation, dramatic impact and suspense. Mr. Wexley writes with the combined qualities of a dramatist, a legal authority, an historian, a political analyst, a psychologist, and an expert investigator.

John Wexley's whole creative life was a preparation for this book, for he has always been profoundly concerned with the problems of justice. His first play, THE LAST MILE, a study of capital punishment, had a foreword by Warden Lawes of Sing Sing attesting to its authenticity and significance. His play, THEY SHALL NOT DIE, dramatized the Scottsboro frame-up. As author of the screen play, CONFESSIONS OF A NAZI SPY, he investigated methods of espionage.

THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG is a brilliant analysis of the case and a meaningful reflection of our times which generations of readers and scholars will turn to in years to come.

You, the Jury:

The author has written this book so that every reader will be in a position to analyze and evaluate the evidence and thus assume the role of a juror in the case. The reader-juror will find answers to such questions as the following:

- What pressures and fears drove a brother to send his own sister to her death, and made a man send his best friend, Morton Sobell, to a living death of 30 years in Alcatraz?
- What were the pathological phantasies admitted at a previous trial by Harry Gold which were never revealed to the Rosenberg jury?
- Why has the general public been led to accept the authenticity of Dr. Klaus Fuchs as the foremost atomic spy, solely on his own confession—that of a self-styled "controlled schizophrenic"?
- How was the guilt-by-association evidence of the ubiquitous Elizabeth Bentley utilized to provide political "motive" even though it never connected the Rosenbergs and Sobell with the crimes charged?
- Why was testimony admitted as evidence against the Rosenbergs from a photographer who was later exposed as a perjurer in a sworn affidavit by an FBI agent?
- What were the roles of Prosecutor Saypol and his "confidential assistant," Roy M. Cohn, and what went on before the trial between the prosecution and the attorney for the principal government witnesses?
- How did *United States* officials illegally arrange for *Mexican* "deportation" of Morton Sobell?
- Why did the Columbia Law Review state that "the rights of the Rosenbergs did not receive the precise and extensive consideration that must characterize the administration of the criminal law"?
- And why did Justice Hugo Black declare that the Supreme Court of the United States had "never reviewed the record of this trial and therefore never affirmed the fairness of this trial"?

PROGRAM

* Angus Cameron, publisher
  Chairman

* David Alman, novelist
  "The Injustice Against Morton Sobell"

* Waldo Frank, novelist

* Rose Sobell, mother of Morton Sobell

* Warren K. Billings, defendant in the
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  Introducing Senator Langer

* William Langer, U.S. Senator

as 10-4-56

Note: Letters urging an investigation of the Constitutional questions in the Rosenberg-Sobell case should be addressed to:

Senator Thomas C. Hennings
Senate Subcommittee on Constitutional Rights
U. S. Senate Office Building
Washington, D. C.

1B 673

David Greenglass, who admitted committing espionage, was sentenced to 15 years and will be eligible for parole in 1955. Max Elitcher, who admitted perjury, has never been indicted.

In other cases involving "ordinary espionage" (non-atomic) and tried under the same act under which Sobell was charged, the maximum sentence given was 10 years.

REMOVAL FROM ALCATRAZ

From the day of his arrest Morton Sobell has been under constant pressure from the Attorney General's office to "cooperate." But instead of making a false confession, Morton Sobell has persisted in efforts to win a new trial. On Thanksgiving Day, 1952, while legal moves were under way, Morton Sobell was abruptly transferred to Alcatraz penitentiary, 3,000 miles from his family and attorney.

Alcatraz was established as a maximum security prison for the isolation of repeated offenders and troublemakers who are considered a menace at regular federal prisons. For its severe restrictions Alcatraz has earned the reputation of being America's "Devil's Island." In Alcatraz, Morton Sobell is not permitted visits by his children. His wife can visit only once a month. Even then, they see each other only through a small glass panel and talk through telephones.

Recently the FBI paid three visits to Sobell in Alcatraz. The FBI agent suggested that Sobell might receive leniency if he would change his testimony and "confess" that he is guilty and that Ethel and Julius Rosenberg were guilty. Morton Sobell's answer was: "I am innocent. I will not soil my hands."

America by tradition abhors and distrusts confessions secured through "third degree" methods. Yet Morton Sobell remains in Alcatraz as a special prisoner of the Attorney General's office. He is under constant pressure to bear false witness against others as a price of his release.

FOR JUSTICE

We believe that justice can be done in this case only by Sobell's removal from Alcatraz, and by a new trial that will examine recent evidence of perjured testimony against the defendant. Supreme Court Justice Black has pointed out that the Supreme Court has never reviewed the case.

Efforts to win a new Sobell trial are continuing. Meanwhile, the voice of fair-minded Americans can end the torture of Alcatraz for Morton Sobell.

Will you join the thousands who are writing letters urging that Mr. Sobell be removed from Alcatraz to a regular federal prison?

Letters should be addressed to:

James V. Bennett, *Director of Prisons*
Justice Department
Washington, D. C.

Other facts and the full trial record are available at:
THE NATIONAL COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
1050 Sixth Avenue • New York 18, N. Y. • LO 4-9585

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Don Rafer

1B674

the FACTS in the case of MORTON SOBELL

MORTON SOBELL is not an ordinary prisoner. There is nothing ordinary about the circumstances of his arrest . . . his trial . . . his 30-year prison sentence . . . his continued imprisonment in Alcatraz.

Mr. Sobell was a co-defendant in the same trial with Ethel and Julius Rosenberg. The charge was "conspiracy to commit espionage." Morton Sobell, like the Rosenbergs, maintained his absolute innocence from the day of his arrest.

The main conspiracy charge in the trial concerned the atomic bomb. But Trial Judge Irving Kaufman admitted to Mr. Sobell in court: "The evidence in the case did not point to any activity on your part in connection with the atomic bomb project." Yet Morton Sobell was sentenced to 30 years.

Dr. Harold C. Urey, atomic scientist and Nobel prize winner, who studied the trial transcript, stated: "Sobell's sentence of 30 years at Alcatraz is completely out of line with any evidence of wrong-doing which the government was believed to present. In fact, I do not know what he did do."

There is a widespread belief that Morton Sobell is a tragic victim of the hysteria surrounding what the *Columbia Law Review*, a distinguished law journal, has called the "outstanding 'political' trial of this generation"*

THE BACKGROUND

Morton Sobell was born and raised in the Bronx,, New York. He was graduated as an electrical engineer from the City College of New York, where he was a classmate of Julius Rosenberg. He received a Master of Science degree from the University of Michigan. During World War II, he turned down an important study fellowship and chose instead to work at a job that would contribute to the

**Columbia Law Review.* The Rosenberg Case: Some reflections on Criminal Law (Vol. 54, p. 219, No. 2, February, 1954)

10-4-55

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Help spread the facts on the Rosenberg-Sobell case. This and other pieces of literature are available at our office.

☐ I want further information

☐ I want to work with the Committee to Secure Justice for Morton Sobell

☐ I would like _____ copy(s) of John Wexley's "The Judgment of Julius and Ethel Rosenberg"

Name _____ Address _____

Tel.No. _____ cd 10-4-55

(Return slip to Usher or mail to: Room 2, 1050 Sixth Ave. N.Y.C.)

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PREPARED FOR THE NATIONAL CONFERENCE
OF ROSENBERG-SOBELL COMMITTEES
IN CHICAGO, OCT. 10-11 1953
BY PROFESSOR STEPHEN LOVE

67P

ANALYSIS OF CASE AGAINST MORTON SOBELL

GS 11-7-53

The thirty year sentence imposed upon MORTON SOBELL is a blight upon the reputation of American justice. The sentence is unprecedented in its severity; it has no justification in the evidence; it is obviously the product of hysteria rather than representing a calm reasoned conclusion; it has arroused the protest of well-intentioned people the world over.

Despite the characterization of MORTON SOBELL as a "traitor" or as an "atomic spy", the record in his case is entirely devoid of any evidence which would justify either appellation. SOBELL was neither indicted or tried for treason. The Federal Constitution requires that treason be proven by the testimony of two witnesses to the same overt act. Since no one - not a single person - testified that SOBELL gave <u>any</u> information to <u>any</u> representative of <u>any</u> foreign power, the charge of treason was out of the question.

The defendant was indicted under a fairly recent Federal statute; the indictment under which he was tried jointly with JULIUS and ETHEL ROSENBERG - which indictment was filed January 31, 1951 - charged them with having conspired with ANATOLI A. YAKOVLEV, DAVID GREENGLASS, RUTH GREENGLASS and HARRY GOLD (the last two of whom were not indicted), to deliver to a foreign government, the Soviet Union, between June 6, 1944, and June 16, 1955, while the United States was at war, certain documents, writings, sketches, notes and information relating to the national defense of the United States, with intent and reason to believe it would be used to the advantage of the Soviet Union; there was no charge that the same would be harmful to the United States.

Upon motion of counsel for SOBELL, the United States was compelled to file a list of the overt acts chargeable against SOBELL, which list consisted of nothing but a list of five conversations between SOBELL and JULIUS ROSENBERG between January, 1946, and May, 1948.

At the outset, it may be stated without fear of contradiction that despite the fact that the gravamen of the indictment was the delivery of documents, writings, sketches, notes and information relating to our national defense, nevertheless, not a single witness testified, nor was their a scrap of paper, to the effect that SOBELL had delivered <u>anything</u> to <u>anybody</u> at <u>any</u> time relating to our national defense. As a matter of fact, with the exception of the witnesses who testified to SOBELL'S alleged flight to Mexico, there were but two witnesses who even mentioned the name of SOBELL, namely, MAX ELITCHER and WILLIAM DANZIGER.

However, even the characterization of DANZIGER as a witness against Sobell is an act of supererogation, since his only testimony was that he and SOBELL had attended highschool together, had graduated from the same class of the College of the City of New York in June, 1938, had thereafter also worked together for some years at the Bureau of Ordnance of the Navy Department in Washington; that DANZIGER visited SOBELL at his home in Flushing, Long Island, in May, 1950, when he told SOBELL that he was in the electrical business and had asked SOBELL for the address of JULIUS ROSENBERG, who, as Sobell told him, was in the machine shop business, it being the witness' idea that he might give ROSENBERG some machine shop work. The witness also testified that SOBELL told him that he was leaving for a vacation in Mexico in June, 1950, and when the witness came to his home, the SOBELL family was packing to leave and were going to Mexico City. He also testified that some time later, he received a letter from SOBELL from Mexico City, the return address on which was M. SOWELL, the letter containing a letter to be forwarded to his sister-in-law and to his parents. The return address on this letter being that of M. LEVITOV.

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Despite the fact that the defendants were not indicted on the charge of being Communists, nor on the charge of treason, the United States Attorney, in his very opening statement (p. 182) introduced the charge that the loyalty and allegiance of the defendants "were not to our country, but that it was to Communism. Communism in this country and Communism throughout the world", and referred to them as "traitorous Americans" (p. 182), guilty of "traitorous activities" and "treasonable acts". Remember, please, that none of the defendants had been indicted on the charge of treason.

When the defendants objected to the introduction of the element of Communism, upon the ground that the defendants were not on trial for being Communists, the trial judge held that the inquiry was proper as going to the motive of the defendants to commit the acts charged against them; the United States Circuit Court of Appeals held that he was correct in that ruling. The trial judge went on to caution the jurors that they were "not to determine the guilt or innocence of a defendant on whether or not he is a Communist". I submit that such a performance by a trial judge may be legally sound but in the long run is one of those amiable hypocracies of the law. It represents one of thoserules which the law feels necessary but which the seeker for justice finds practical rather than just. In these days, repeatedly to call a defendant in a criminal case a Communist and then expect him to get a fair trial before a jury simply because the trial judge directs the jury to disregard that charge is naive, if not directly insincere. The warning to the jury to disregard a particular charge is, as stated by no less a personage than Mr. Justice Jackson of the Supreme Court, in Krulewitch v. United States, 336 U.S. 440, (1,1650) but "an empty ritual without any practical effect on the jurors". It is largely on the basis of such repeated "empty rituals" that the defendants now face the chair.

The trial proceeded in the atmosphere generated by those charges and by the evident conviction of the trial judge that the defendants were guilty, a conviction which he did little to conceal from the jury. I have made notations, in the record, of over a hundred points at which the trial judge aided the government and its witnesses or showed hostility to the defendants or their counsel, or minimized their evidence.

The court's attitude toward counsel for Sobell was well shown by such observations as the following: (p. 202)

> "Let me ask you this, Mr. Phillips: have you tried any criminal cases? I know your specialty is in the real estate field".

Or this choice bit before the jury (p. 808):

> "Mr. Kuntz: May I finish my argument?
> The Court: Mr. Kuntz, no, you may not. It is a lot of gibberish."

* * * * * * * * *

> "Mr. Kuntz: May I --
> The Court: No, the Court put that question, Mr. Kuntz, and don't give me any course of instruction as to what is usually done in a courtroom. This is the way I am running this courtroom, Mr. Kuntz, and I think I understand how a courtroom should be run. I don't care to hear anything further from you. Your objection is noted".

It does not take a veteran trial lawyer to understand what this short of attitude on the part of the presiding judge does to the attitude of the lawyer thus humiliated.

The only other witness against SOBELL, namely, MAX ELITCHER, likewise attended high school and then college with SOBELL up to 1938. He testified that in 1939 he and SOBELL had a conversation in regard to the Communist Party, and that ultimately he joined.

a cell of the Communist party in Washington at SOBELL'S suggestion, and attended meetings of that cell for two or three months after May, 1939, and until 1941; that he continued to be a member of the Communist party until 1948, one group of the party being known as the Navy Branch. He testified nothing further about membership in the Communist party, but he said that he met SOBELL again in 1947 at the Reeves Instrument Plant in New York where SOBELL asked him if he knew of students who could be approached concerning espionage and obtaining classified material.

The witness further testified that during the week proceeding Labor Day in 1944, he had a conversation with SOBELL, and that SOBELL was angry when he heard that ROSENBERG had mentioned his name.

The witness further testified that SOBELL was employed in the General Electric Plant in Schenectady in 1946, and then inquired of the witness whether there was any written material available as to his work; that SOBELL suggested or "implied" that the witness was to see ROSENBERG about espionage business in 1946; and that in 1947, when he met SOBELL at the Sugar Bowl Restaurant, he asked the witness whether his wife knew about the espionage business, and also asked the witness whether he would let SOBELL know of any engineering students who were "progressive"; that in June, 1948, he told SOBELL that he was leaving the Bureau of Ordnance, and that SOBELL asked him to do nothing about that until he had seen SOBELL and ROSENBERG, subsequently to which SOBELL arranged a meeting between the witness and ROSENBERG; that at that meeting SOBELL and ROSENBERG both tried to persuade him to stay at the Bureau of Ordnance because ROSENBERG needed someone to work at that Bureau for espionage purposes, but that the witness adhered to his determination to leave Washington.

The witness finally testified that in July or August, 1948, when he was driving from Washington to SOBELL'S home in New York he was followed by two cars and that when he told SOBELL this the latter was angry; that SOBELL asked him to go with him to deliver a 35 millimeter film can to ROSENBERG and that they drove to the neighborhood of the Journal American Building, where SOBELL got out of the car; that when SOBELL returned he told him that ROSENBERG was not concerned about SOBELL'S having been followed, and that he also admitted that he had once talked to ELIZABETH BENTLEY but said that she had not recognized his voice; the last time the witness talked to SOBELL was in June, 1950.

The foregoing testimony was the only evidence against SOBELL; it served as the basis for the thirty year sentence; it was not corroborated by another witness; it came only from the lips of ELITCHER who readily admitted that he knew he had committed perjury in 1947 in applying for a government position, in executing a loyalty oath and in concealing the fact that he was then a Communist; when he was interrogated about this case by the F.B.I. in 1950, they told him that they knew he was a Communist, and he was then fearful that he would be prosecuted by the United States government for perjury.

In view of the weakness of the evidence against SOBELL, you naturally ask yourself why he was found guilty. There are several answers to that:

FIRST: Apparently in reliance upon their conviction that there was not enough evidence to justify a conviction, counsel for SOBELL did not permit him to take the stand; that was a mistake, as it now appears;

SECOND: The government introduced evidence to show that SOBELL and his family had escaped to Mexico and stayed in a number of places under variations of the name "SOBELL"; since he did not take the stand, SOBELL gave no explanation of his flight, and that immediately prejudiced him before the jury; worse than that, the jury was not given any evidence as to the manner in which he had been kidnapped by the Mexican police, without process, and had been turned over to the F.B.I. at the border; although

the government must have known that it was false, it introduced a card by an Immigration Inspector at the time SOBELL was forcibly returned to the United States, which card read "Deported from Mexico"; since he did not take the stand, SOBELL was not able to give the jury the facts to show that he had been kidnapped from mexico rather than being deported;

THIRD: The government was allowed to introduce evidence as to the activities of the Communists in the United States upon the theory that such activities would show the motives of these defendants as Communists; once that door was opened, the cause of the defendants, including SOBELL, was sunk. The first witness on the Communist issue was HARRY GOLD, a self-confessed spy, serving a thirty year sentence, who would some day be applying for parole. He had a Roman Holiday on the witness stand, relating alleged activities of the Communists with which the defendants were in no wise connected; as a matter of fact, he never even knew either SOBELL or the ROSENBERGS; that this created an atmosphere and a prejudice against the defendants which they could not possibly overcome is undeniable.

Another witness presented in connection with the Communist picturization of the case was our old friend, the ubiquitous ELIZABETH BENTLEY, Since she has made a career of professing to be a reformed Communist, and has made a living off writing books, presenting lectures, and testifying in practically every case and every Congressional hearing involving Communism, directly or indirectly, it was to be expected that sooner or later the charming Elizabeth would appear here, too. She was subpoenaed from a hard-earned vacation in Puerto Rico, for the ostensible purpose of establishing the relationship between the Communist Party of the United States and the Communist International. She was allowed, however, to give an extensive history of what she characterized her activities as a secret courier among many named and unnamed alleged Communists, which testimony consisted of many generalities, much hearsay, etc. The testimony certainly was calculated to give the jury a picture of very widely-spread and sinister activities of the Communists in this country. That it was very prejudicial to the defendants, in the eyes of the jury, cannot be doubted, even though she did not profess even to know the defendants.

Well, you ask me -- and your friends ask you -- if this case was so patently full of holes, why did not the Circuit Court of Appeals reverse a conviction based upon that evidence? Even lawyers ask me that. The answer is simple. In the Federal Judicial system, unlike the practise in most of the state courts, the Circuit Court of Appeals, that is the Court of Review, "is not allowed to consider the credibility of witnesses or reliability of testimony. Particularly in the Federal Judicial system, that is the jury's province": Mr. Justice Frank's opinion in behalf of the Circuit Court of Appeals: (p. 1648).

Why that rule has become so well established in the Federal Courts is hard to say. Time and time again, a trial judge upsets a verdict of "guilty", or criticises an acquittal as a miscarriage of justice. Time and time again, a state reviewing or appeals court reverses a judgement upon a verdict of guilty, sometimes without even sending it back for a new trial. History, too, has not infrequently shown juries to have been dead wrong. But in the Federal Judicial system, the verdict of a jury, however induced by fear, or hysteria or prejudice, if approved by the very trial judge who probably impelled that verdict, can never be set aside on the ground that it was based on false or unreliable testimony. Why must the defendants, why must the defendants, why must we all, accept irrevocably the view of a Judge Kaufman and of a jury so exposed to the influence of his attitude and his rulings? Why may not a higher court review the reliability of the testimony, particularly when the very lives of people depend upon that testimony? I should think that every lawyer. every judge, anxious to vindicate the processes of law and to administer justice, as far as that is humanly possible, would demand that some higher court, in the fair and detached atmosphere

of a court review, free from hysteria and devoid of the spirit of "we'll show these Communists", review the evidence, every bit of it, and direct the acquital of the defendants, if the evidence did not warrant their conviction. That is what we have a right to expect of our courts; that is what courts are for!

In view of the above record, the sentence pronounced upon MORTON SOBELL by Judge Kaufman is almost incredible. Jointly with the ROSENBERGS he prosecuted an appeal to the United States Court of Appeals for the Second Circuit. The opinion of that court affirmed the judgement of Judge Kaufman although the Circuit Court Judge JEROME FRANK gave it as his opinion that MORTON SOBELL was entitled to a new trial on the ground that the evidence established, if anything, two separate conspiracies: (a) Conspiracy between ROSENBERG and SOBELL to solicit and obtain ELITCHER'S aid in espionage activities and to send military engineering and fire control information to Europe; (b) Conspiracy between ROSENBERG, GREENGLASS and GOLD to send atomic information from Los Alamos to Russia, with which conspiracy no one, and no evidence, linked SOBELL even remotely; Judge Frank held that trying SOBELL jointly with defendants charged with another conspiracy with which he had no connection was grave, reversible error. His two colleagues on that Court disagreed with him. The Supreme Court never passed upon that question, because it has steadfastly refused to take jusrisdiction of the case. SOBELL faces thirty years in jail because one judge of the Circuit Court of Appeals does not agree with the theory propounded by counsel and accepted by JUDGE FRANK.

That is one of the great tragedies of this case, namely, that in a case of this highly controversial nature, where the evidence is so insufficient, where the courtroom and outside atmosphere are so inimical to the defendant, where the possibility of a fair trial has been so obviously impaired, nevertheless the Supreme Court refuses to pass upon the case, refuses even to consider the full record. And the press, and the commentators, and that portion of the public misled by them, cry that the defendant has had a fair trial and fair consideration by the Supreme Court!

We must not allow our interest to lag, nor our desire to help an unfortunate fellow being grow cold. In a measure, MORTON SOBELL has suffered an even greater injustice than his fellow defendants, since we all concentrated, understandingly, on the ROSENBERG case. The SOBELL case is just as vital. The condemnation of an innocent man to a living death of thirty years, the destruction of his family, the martyrdom of his courageous wife, are factors which no American, no man with a human heart, can ignore. We must continue, both in the courts and by repeated appeals to executive clemency, and by unrelenting search for further evidence, to attempt to undo a great wrong! When public opinion resumes its normal atmosphere, when the witch hunt is over, when normalcy returns, America will thank us for our efforts, I am certain.

FAIRFIELD COUNTY FAIR
September 15, 1955
Volume 2, No. 37
INCORPORATING *Fairfield County Spotlight*

This is a reprint of a book review which appeared in Fairfield County, Connecticut.

Brett Halliday, the author of the review is one of the leading mystery writers in the country.

67D

Gd 11-7-55

BOOK FAIR

By BRETT HALLIDAY & HELEN McCLOY

This is being written at 2:00 A.M., August 8, 1955 just after I have finished reading "The Judgment of Julius and Ethel Rosenberg" by John Wexley. Helen McCloy is vacationing on Cape Cod and has not seen a copy of the book I am going to discuss. She will not read this until it appears in print. This is solely and wholly the work of Brett Halliday.

I feel sure that all of you who read this book will understand my reason for the above disclaimer.

In order that you may have some basis for assessing and evaluating the opinions I am going to express. I think it will be well to also put the following facts on record.

I am not a "bleeding-heart" social reformer.

I am not a Jew.

I am not a Communist.

I am a native American 51 years old, a registered Democrat who occasionally votes for a Republican candidate. I am married, the father of one seven-year-old daughter, the owner of a dog, a cat, a canary, and two goldfish. I own my home in Westport (subject to a large mortgage held by the Prudential Insurance Co.,) and I manage to eke out a fair living under our system of Capitalism.

I have a sincere and fervent desire to be proud of my country and my fellow-Americans.

Reading this book of John Wexley's has been a soul-shattering experience for me. It is a huge book: terrifying and sick-making. I finished the last page of Appendix 22. page 664, about an hour ago, and I have been walking the floor in agony since then.

As I sit here at my typewriter and lift my head to stare at a window beyond which in the darkness lies America, I am frightened and nauseated.

What sort of America is my daughter going to grow up in? What sort of heritage am I going to leave her? Can I, as a father, remain silent tonight after reading this book and feeling as I do about it?

No. I would be a lousy father if I did that. And I want to be a good father.

To me there is only one basic and inescapable conclusion that can be reached by any intelligent person who reads this book objectively:

Either: the facts presented are untrue, and/or the author's interpretation of those facts is incorrect:

Or: the facts are true and the author's interpretation is correct.

If the first conclusion is the right one, it seems to me that J. Edgar Hoover, Irving Kaufman. Irving Saypol and Roy Cohn (to say nothing of a host of underlings) should immediately start suit against the author and his publishers for malicious and vicious libel.

If the second conclusion is correct, it seems to me that J. Edgar Hoover, Irving Kaufman, Irving Saypol, Roy Cohn, et al, should be indicted and tried for conspiring to murder the Rosenbergs.

I have no way of determining whether the facts and/or the author's interpretation of them are true or false. I only know that this book was published in June, and thus far I have seen no public announcement of any legal action against the author or his publishers. To me this indicates they do not have grounds for such action.

Not only have these four men (to my knowledge) failed to protest Mr. Wexley's statements but neither has anyone else (to my knowledge). I can't make a flat statement on this point, of course, because I regularly read only the New York Times daily and Sunday, The Sunday Herald Tribune, The Saturday Review and The Nation weekly. In the months since publication of "THE JUDGEMENT of JULIUS AND ETHEL ROSENBERG" I have not come across a single mention of the book, either pro or con, in print.

Let's stop and think about this for a moment. What does this mean to you as an American—to my daughter who will grow up in an America that looks the other way in abject fear and completely ignores the most accusative and inflammatory piece of writing since Zola took pen in hand to reopen the Dreyfus case?

Frankly, I shudder as I contemplate the only logical answer to that question.

This is an exceptionally well-documented book. Hardly a page does not carry one or more footnotes citing sources. The appendices are full and well chosen, and the book is carefully indexed. I feel certain that many of my readers in Fairfield County knew the publisher. Angus Cameron, in happier days when he was the respected and beloved chief editor of a major publishing house, and I hope a goodly number of them will order a copy of this book and read it, if for no better reason than because a man like Mr. Cameron had the basic guts and the essential qualities of Americanism to print this book and put it on the market.

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THE NATIONAL COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
1050 Sixth Avenue • New York 18, N. Y. • LO 4-9585

1B677

FILE DESCRIPTION

NEW YORK FILE

SUBJECT ROSENBERG/SOBEL COMMITTEE

FILE NO. 100-107111

VOLUME NO. BULKY EXHIBIT

SERIALS 1B 678 THRU 1B 742

JULIUS ROSENBERG, et al.

NEW YORK BULKY EXHIBIT FILES

Exhibit Number	Description	Released	Denied	Withheld
678	PHOTOGRAPHIC COPY OF LETTER	✓		
679	FLYER	✓		
680	FLYER	✓		
681	REPRINT	✓		
682	PAMPHLET	-		NOT COPIED DUE TO LENGTH
683	PAMPHLET · REPRINTED FROM COLUMBIA LAW REVIEW, VOL 54, PG 219, NO. 2			NOT COPIED DUE TO LENGTH
684	TEXT OF ADDRESS	✓		
685	REQUEST TO JUDICIARY COMMITTEE OF US SENATE			NOT COPIED DUE TO LENGTH
686	REPRINT	✓		
687	PAMPHLET	✓		
688	PAMPHLET	✓		
689	PAMPHLET	✓		
690	REPRINT	✓		
691	REPRINT,	✓		
692	REPRINT	✓		
693	REPRINT	✓		
694	LETTER	✓		
695	LETTER & LITERATURE	✓		
696	14 REPRINTS	✓		
697	REPRINT	✓		
698	REPRINTS	✓		
699	PAMPHLET	✓		
700	EXEMPTED		67Δ	

JULIUS ROSENBERG, et al.

NEW YORK BULKY EXHIBIT FILES

Exhibit Number	Description	Released	Denied	Withheld
701	FOLDER	✓		
702	LETTER	✓		
703	PHOTOSTAT OF LETTER	✓		
704	PHOTOSTAT OF LETTER	✓		
705	PHOTOSTAT OF LETTER	✓		
706	PHOTOSTAT OF PRESS RELEASE	✓		
707	PHOTOSTAT OF LETTERHEADS	✓		
708	PHOTOSTAT OF PRESS RELEASE	✓		
709	PHOTOSTATS OF LETTERS, LETTERHEAD, REPRINT	✓		
710	REPRINT	✓		
711	REPRINT FROM THE "WESTERN POLITICAL QUARTERLY"	✓		
712	REPRINT	✓		
713	FLYER	✓		
714	FLYER	✓		
715	LETTER	✓		
716	REPRINT FROM MANCHESTER GUARDIAN	✓		
717	PAMPHLET	✓		
718	FLYER	✓		
719	REPRINT	✓		
720	PRESS RELEASE	✓		
721	LETTER	✓		
722	PHOTOGRAPHS	✓		
723	REPRINT OF NEWSLETTER	✓		

JULIUS ROSENBERG, et al.

NEW YORK BULKY EXHIBIT FILES

Exhibit Number	Description	Released	Denied	Withheld
724	REPRINT OF NEWSLETTER	✓		
725	REPRINT		b7D	
726	REPRINT	✓		
727	REPRINT	✓		
728	BOOKLET			NOT COPIED DUE TO LENGTH
729	REPRINT	✓		
730	REPRINT	✓		
731	REPRINT	✓		
732	FLYER	✓		
733	FLYER	✓		
734	FOLDER		b7D	
735	PRESS RELEASE	✓		
736	FLYER	✓		
737	REEL OF RECORDING TAPE			
738	REEL OF RECORDING TAPE			
739	REEL OF RECORDING TAPE			
740	EXEMPTED		b7D	
741	REPRINTS	✓		
742	REPRINTS	✓		

FD-192
(7-17-52)

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

Bufile: 100-387835

NY Field Division

11/20/55 Date

Title and Character of Case:

NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE
IS - C

Date Property Acquired: SEE BELOW

Source From Which Property Acquired: SEE BELOW

Location of Property or Bulky Exhibit: VAULT

Reason for Retention of Property and Efforts Made to Dispose of Same: EVIDENCE AND INFORMATION
DISPOSITION: PERMANENT

Description of Property or Exhibit and Identity of Agent Submitting Same: SEE BELOW

678. Photographic copy of letter from NCSJLS [redacted] ms
Subm. by SA Sheridan on 11/18/55. Seemer.

679. Carnegie Hall 9/29/55 throwaway. Rec'd 9/26/55 from CSWY 48-S. Subm. by SA Richard A. Minihan on 11/22/55. am

680. Leaflet signed by Aaron Schneider re Carnegie Hall meeting 9/29/55. Rec'd 9/29/55 from CSWY 48-S. Subm. by SA R.A. Minihan on 11/22/55. am

Field File #:

100-107111-1812

SEARCHED INDEXED
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NOV 21 1955
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FD-192
(7-17-52)

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

Bufile: 100-337335 NY Field Division

12/6/55 Date

Title and Character of Case: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE IS - C

Date Property Acquired: SEE BELOW

Source From Which Property Acquired: SEE BELOW

Location of Property or Bulky Exhibit: VAULT

Reason for Retention of Property and Efforts Made to Dispose of Same: EVIDENCE AND INFORMATION DISPOSITION: PERMANENT

Description of Property or Exhibit and Identity of Agent Submitting Same: SEE BELOW

681. Reprint from "The Nation" 8/27/55. Rec'd [redacted] from [redacted] Subm. by SA Alesio Saviola on 12/5/55. See serial [redacted] am
682. Pamphlet, "The Case of Morton Sobell" by D.N. Pritt.
683. Pamphlet, "The Rosenberg Case; Some Reflections on Federal Criminal Law"
684. Text of an address by Senator Langer.
685. A request to the Judiciary Committee of the U.S. Senate to investigate the conduct of the A.G.'S office.
686. "Atomic Scientist asks Justice for Morton Sobell."
687. "Did the Rosenbergs have Full miasure of Justice?".
688. "The Scientist in Alcatraz".
689. "The Facts in the Case of Morton Sobell!"

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DEC 5 1955

Field File #:

FD-192
(7-17-52)

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

Bufile: 100-387835

N.Y. Field Division

1/11/56 Date

Title and Character of Case: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE IS - C

Date Property Acquired: SEE BELOW

Source From Which Property Acquired: SEE BELOW

Location of Property or Bulky Exhibit: VAULT

Reason for Retention of Property and Efforts Made to Dispose of Same: EVIDENCE AND INFORMATION DISPOSITION: PERMANENT

Description of Property or Exhibit and Identity of Agent Submitting Same: SEE BELOW

690. Atomic Scientist asks Justice for Morton Sobell. Adress of Dr. Harold C. Urey. Rec'd. 12/22/55 from Philadelphia. Subm. by SA P.H. Sheridan on 1/10/56. See ser [redacted] pw

691. "Sobell Letter announcing meeting" (photostat).

692. Photostat of "Sobell Newsletter".

693. Photostat of "The facts in the Case of Morton Sobel." [redacted]

694. Envelope [redacted] Letter to Librarian from Action Books: Brochure entitled "The Atom Spy Hoax." [redacted] from [redacted] Subm. by SA P.H. Sheridan on 1/10/56. See ser [redacted] pw

695. Literature enclosed in letter un-dated, sent out by Committee to Secure Justice For Morton Sobell. Postmarked 11/20/55. Rec'd 12/14/55 from [redacted] Subm. by SA E. C. Forest on 1/26/56. See ser [redacted] mop

696. One bound folder containing exhibits 1 thru 14 accompanying Los Angeles Report. Rec'd. [redacted] from the LA Office. See serial [redacted] Subm. by SA Minihan 1/30/56.pav

697. A printed, undated, circular letter issued by the "Committee To Secure Justice For Morton Sobell", and bearing the printed signature of Mrs. Rose Sobell. Rec'd. [redacted] from [redacted] Subm. by SA Richard F. Bates on 3/16/56. See ser [redacted] mop

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100-10711-1B127
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JAN 1 1 ...
FBI - NEW YORK

Field File #:

FD-192
(7-17-52)

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

File: 100-337335

NY Field Division

3/22/56 Date

Title and Character of Case: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE
IS - C

Date Property Acquired: SEE BELOW

Source From Which Property Acquired: SEE BELOW

Location of Property or Bulky Exhibit: VAULT

Reason for Retention of Property and Efforts Made to Dispose of Same: EVIDENCE AND INFORMATION
DISPOSITION: PERMANENT

Description of Property or Exhibit and Identity of Agent Submitting Same: SEE BELOW

698. Letter from Committee to Secure Justice for Morton Sobell, and attached literature and envelope. Rec'd 3/7/56 from [redacted] Subm. by SA J.L. Steiner. See serial [redacted]

699. Thirteen captioned "Innocent" from Comm. to Secure Justice for Morton Sobell. Rec'd. [redacted] Subm. by SA Damon [redacted]. Letter on 4/10/56. See ser [redacted]

700 [redacted]

701. One 4 page folder entitled "INNOCENT" re Comm. To Secure Justice for Morton Sobell" Rec'd. [redacted] from [redacted] Subm. by SA Edward M. Ancin on 4/23/56. See [redacted] pw

702. Letter from "Committee to Secure Justice for Morton Sobell" and envelope. Rec'd. [redacted] from [redacted] Subm. by SA Charles W. Badgley Jr. See ser [redacted] pw

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100-107111-1B128

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MAR 23 1956

Field File #:

FD-192
(7-17-52)

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

Bufile: 100-387835

N.Y. Field Division

4/23/56 Date

Title and Character of Case: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE IS - C

Date Property Acquired: SEE BELOW

Source From Which Property Acquired: SEE BELOW

Location of Property or Bulky Exhibit: VAULT

Reason for Retention of Property and Efforts Made to Dispose of Same: EVIDENCE AND INFORMATION DISPOSITION: PERMANENT

Description of Property or Exhibit and Identity of Agent Submitting Same: SEE BELOW

703. Photostat of letter dated 11/4/55.
704. Photostat of CSJMS memo entitled "Hennings Committee and the Sobell Case"
705. Letter dated 11/18/55 signed Ted Jacobs. (Photostat)
706. Photostat of Press Release typed memo dated 11/19 at New York.
707. Photostat of a. Library Journal; b. CSJMS letter-head; c. Typed press release.
708. Press Release memo dated 11/12/. (Photostat)
709. Photostat of letter dated 11/14/55 signed David Alman and enclosure: a. Letterhead and envelope; b. Envelope and Senator Langer pamphlet; c. David Alman letter; d. Helen Sobell letter.

NOTE: The above seven exhibits were rec'd. 12/2/55 from CSDE 541-S*. Subm. by Detroit Office on 4/23/56. See ser 1896. pw

710. 2 page sheet "Some Comments on 'The Judgment of Julius & Ethel Rosenberg'".
711. Review of "The Judgment of Julius & Ethel Rosenberg", "The Western Political Quarterly".

[redacted]

712. NCSJRC bulletin 3/20/56. Rec'd. [redacted] from [redacted] Subm. by SA John W. Peterso on 4/24 56. See ser [redacted] mop
713. Flyer "Innocent". Rec'd. [redacted] from [redacted] Subm. by SA W. D. DeWitt on 4/24/56 See ser [redacted] mop

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Field File #:

FD-192
(7-17-52)

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

Bufile: 100-387635

NY Field Division

5/7/56 Date

Title and Character of Case: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE
IS - C

Date Property Acquired: SEE BELOW

Source From Which Property Acquired: SEE BELOW

Location of Property or Bulky Exhibit: VAULT

Reason for Retention of Property and Efforts Made to Dispose of Same: EVIDENCE AND INFORMATION
DISPOSITION: PERMANENT

Description of Property or Exhibit and Identity of Agent Submitting Same: SEE BELOW

714. Folder entitled "Innocent!" on Morton Sobell. Rec'd. [redacted] from [redacted] Subm. by SA Alesio Saviola on 5/4/56. See ser [redacted] mop [redacted]

715. Letter announcing meeting of Committee to Secure Justice For Morton Sobell, 5/15/56, Carnegie Hall, NYC. Rec'd. [redacted] from [redacted] Subm. by SA R. F. Bates on 5/28/56. See ser [redacted] mop

716. Reprint of letter from Bertrand Russell to Manchester Guardian of 3/26/56 criticizing FBI in Sobell case. Rec'd. 4/13/56 from [redacted] Subm. by SA R. F. Bates on 5/28/56. See ser [redacted] mop

717. Pamphlet on Morton Sobell. Rec'd. [redacted] from [redacted] Subm. by SA R. Ruffing on 5/28/56. See ser [redacted] mop

718. Flyer "I am Innocent". Rec'd. [redacted] from [redacted] Subm. by SA W.D. DeWitton 6/26/56. See ser [redacted] pw

719. Announcement of rally at Carnegie Hall, NYC on 5/15/56. Rec'd. [redacted] from [redacted] Subm. by SA R. H. Blasser on 6/26/56. See ser [redacted] pw

720. Letter from Helen L. Sobell enclosing attached copy of letter to Pres. Eisenhower/ Rec'd. [redacted] from [redacted] Subm. by SA L. Goodrow on 6/26/56. See [redacted] pw

721. Letter from Committee to Secure Justice for Morton Sobell signed by David Alman. Rec'd [redacted] from [redacted] Subm. by SA L.S. Goodrow on 6/26/56. pw

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SERIALIZED FILED
MAY 7 1956
FBI-NEW YORK

Field File #:

FD-192
(7-17-52)

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

Bufile: 100-397835

N.Y. Field Division

7/10/56 Date

Title and Character of Case: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE
IS - C

Date Property Acquired: SEE BELOW

Source From Which Property Acquired: SEE BELOW

Location of Property or Bulky Exhibit: VAULT

Reason for Retention of Property and Efforts Made to Dispose of Same: EVIDENCE AND INFORMATION
DISPOSITION: PERMANENT

Description of Property or Exhibit and Identity of Agent Submitting Same: SEE BELOW

722. Negative and photographs of GLORIA AGRIN, taken on March 1956 in connection with passport application. Rec'd. 3/23/56 from [redacted] Pass. Off., State Dept., Wash. DC. Subm. by SA Kenneth J. Haser on 6/29/56. See ser [redacted] pw b7c
723. April 1956 Sobell Newsletter, San Francisco Bay Area. Rec'd. [redacted] from PSI San Francisco. Subm. by SA W.B. Sarage on 6/29/56. See ser [redacted] pw
724. Nov. 1955 Sobell Newsletter, San Francisco Bay Area. Rec'd. 3/27/56 from [redacted] Subm. by SA Ronald O. Stamp on 6/29/56. See ser [redacted] pw
725. [redacted] Rec'd. [redacted] from [redacted]. Subm. by SA Robt. R. Brewer on 6/29/56. See ser [redacted] pw
726. Pamplet "Trial By Headline on Eve of Trial by Court". Rec'd. [redacted] from SF PSI. Subm. by SA Frank S. Perrone on 6/29/56. See ser [redacted] pw
727. Pamphlet "The Lord Russell Debate, on the Case of Morton Sobell". Rec'd. [redacted] from [redacted] Panel Source. Subm. by SA John P. Marchi on 6/29/56. See ser [redacted] pw
728. 1 copy of 43 pg. booklet "Prisoner on Our Conscience" The Story of Morton Sobell" by Emily & David Alman. Rec'd. [redacted] from [redacted] Subm. by SA William D. Saunders on 6/29/56. See ser [redacted] pw
729. LA Circular "Dear Friend" signed Widge Newman. Rec'd. [redacted] from [redacted] Subm. by SA Elliott W. Aman on 7/9/56. See ser [redacted] pw
730. Vol #1 Los Angeles, Sobell Announcer. Rec'd. [redacted] from [redacted] Subm. by SA Wihike on 7/9/56. See ser [redacted] pw
731. Vol # 1 and 15 LA Sobell Announcer. Rec'd. [redacted] LA. Subm. by SA John Russell on 7/9/56. See ser [redacted] pw

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Field File #:

100-101111-18131
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SERIALIZED P.W. FILED P.W.
JUL 10 1956
FBI - NEW YORK

FD-192
(7-17-52)

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

Bufile: 100-387835 NY Field Division

7/20/56 Date

Title and Character of Case: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE IS - C

Date Property Acquired: SEE BELOW

Source From Which Property Acquired: SEE BELOW

Location of Property or Bulky Exhibit: VAULT

Reason for Retention of Property and Efforts Made to Dispose of Same: EVIDENCE AND INFORMATION PERMANENT

Description of Property or Exhibit and Identity of Agent Submitting Same: SEE BELOW

732. Flyer of Committee to Secure Justice for Morton Sobell announcing meeting on 5/15/56. Rec'd. [redacted] from [redacted] Subm. by SA R. K. Stover on 7/19/56. See Ser [redacted] mop

733. Copy of "The Lord Russell Debate" Rec'd. 5/31/56 from [redacted] Subm. by SA D. E. Hartnett on 7/20/56. See ser [redacted] mop

734. [redacted] Rec'd. 5/16/56 from [redacted] Subm. by SA Edward M. Ancin on 7/2/56.mo
See ser [redacted]

735. "Press Release" [redacted]
736. 3 throwaways re Morton Sobell.
737. Tape recording of Aarpm Scjmeoder [redacted]
738. Tape recording of speech of John Wexley [redacted]
739. Tape recording of speech of Rose Sobell on [redacted]

740. [redacted] b7d

741. Undated letter issued by the Committee to Secure Justice for Morton Sobell with attached book review. Recd. [redacted] from [redacted] Subm. BY SA Jack W. Sullivan on 8/23/56. cm See serial [redacted] 100-[illegible]11-18132

Field File #:

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SERIALIZED MEMBER FILED
JUL 20 1956
FBI-NEW YORK

FD-192
(7-17-52)

BULKY EXHIBIT - INVENTORY OF PROPERTY ACQUIRED AS EVIDENCE

Bufile: 387835

NY Field Division

8/28/56 Date

Title and Character of Case: NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE
IS-C

Date Property Acquired: SEE BELOW

Source From Which Property Acquired: SEE BELOW

Location of Property or Bulky Exhibit: VAULT

Reason for Retention of Property and Efforts Made to Dispose of Same: EVIDENCE AND INFORMATION PERMANENT

Description of Property or Exhibit and Identity of Agent Submitting Same: SEE BELOW

742. Letter from Warren K. Billings dated June 58 and enclosed literature from committie to secure Justice for Morton Sobell. Business Reply Envelope. "Mrs Morton Sobell Room D 940 Broadway NYC. Rec'd 7/2/56 from [redacted] Subm by SA L. S. Goodron on 8/27/56. See ser [redacted]

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100-107111-143139

SEARCHED ____ INDEXED ____
SERIALIZED ____ FILED ____
AUG 28 1956
FBI - NEW YORK

Field File #:

National Committee to Secure Justice for Morton Sobell
1050 Sixth Ave., New York 18, N.Y. LO 4-9585

August 22, 1955.

Dear Friend:

The hearings of the House Un-American Activities Committee have crystallized a growing feeling that conditions now exist for a large scale, national effort on behalf of Morton Sobell. For some weeks prior to the Washington hearings, informal discussions among those now active in the Sobell campaign and people formerly active in the Rosenberg clemency campaign indicated that the possibility presently exists for successful, favorable activity.

All who participated in those discussions agreed that the overwhelming need at this moment was for the development of a bold and effective program of reaching out to millions with the story of the Rosenberg-Sobell case. It is the view of the National Committee that this national program should be brought to cities around the country by visits, by the revitalization of existing committees and groups, and by the raising of sufficient funds to launch a significant public campaign.

As a practical and important step in this direction, we are happy to announce important steps in the direction of establishing a "team" in the National office. David Alman, the former Executive Secretary of the Rosenberg Committee, has agreed to come to our Committee on a full-time basis. Aaron Schneider, who had returned to the Committee on a temporary basis, has agreed to stay on. Don Rothenberg has indicated his willingness to put himself at the service of the Committee as in the past. To these three we add as effective leadership, Helen Sobell, Joseph Brainin, Emily Alman and Norma Aronson. These people together with other members of the National Committee and can-do people in all parts of the country, constitute a national "team" of active, experienced people.

[illegible] for a series of field trips [illegible] national [illegible]

[illegible]
in the Rosenberg clemency campaign indicated that the possibility
[illegible]

All who participated in these discussions agreed [illegible]
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effective program of reaching out to millions with the story of the
Rosenberg-Sobell case. It is the view of the National Committee
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to the Committee on a temporary basis, has agreed to stay on.
Don Rothenberg has indicated his willingness to put himself at the
service of the Committee as in the past. To these three we add
as effective leadership, Helen Sobell, Joseph Brainin, Emily Alman
and Norma Aronson. These people together with other members of
the National Committee and the fine people in all parts of the
country, constitute a national "team" of active, experienced people.

Plans are underway for a series of field trips by national office
people shortly after Labor Day.

We urge you to re-examine your local program in the light of the
new opportunities which present themselves for winning freedom for
Morton Sobell. We desire urgently that you make your views as to
the national and local programs known to us.

We hope that you will call together your local group or committee
as soon as possible for the purpose of discussing a more energetic
program. In addition, we suggest that immediate, practical steps
be taken to increase the sale and distribution of the Wexley book
and in regard to all of the other proposals for action presently
before your group.

We know that all of us have a great and important task with many
problems. We feel deeply, however, that by working together and

-2-

consulting together we can dispose of every problem in a way most fruitful to the campaign for Sobell's release.

Sincerely,

David Alman Helen Sobell Aaron Schneider

David Alman Helen Sobell Aaron Schneider

National Committee to Secure Justice for Morton Sobell

P. S. A summary of the Washington hearings will be ready very shortly.

An Innocent Man Is In Alcatraz

Morton Sobell, an American scientist, is in Alcatraz, in his sixth year of imprisonment. The charge was "conspiracy to commit espionage." Morton Sobell has maintained his absolute innocence from the day of his arrest, as did his co-defendants, Ethel and Julius Rosenberg.

Dr. Harold C. Urey, atomic scientist and Nobel Prize winner, stated, "Sobell's sentence of thirty years at Alcatraz is completely out of line with any evidence of wrong-doing which the government was believed to present. In fact, I do not know what he did do."

The trial of Morton Sobell was staged in a fear-ridden atmosphere in which the guilt of the defendants was taken for granted from the moment they were arrested. The nightmare of fear and suspicion which was part of the hysteria of the past years is now lifting as a result of the Geneva conferences. America cannot be free and at peace so long as American justice is in doubt. All Americans who wish for a better America must do all they can to right this great wrong to Morton Sobell.

ASSEMBLY for JUSTICE For Morton Sobell

CARNEGIE HALL
September 29th, 1955
at 8 p. m.

Among the speakers are:

WILLIAM LANGER
United States Senator

WALDO FRANK
Novelist and Essayist

JOHN F. FINERTY
Eminent Attorney
Defender of Sacco and Vanzetti

WARREN K. BILLINGS
Co-Defendant in Mooney Case

Tickets at $1.25 may be obtained at the box office or at

New York Committee for Justice for Morton Sobell
1050 Sixth Avenue • New York 18, N. Y.
LOngacre 4-9585

100-107111-18679

Committee to Secure Justice for Morton Sobell
1050 Sixth Avenue, N.Y.18,N.Y. LO 4-9585

September 20, 1955.

Dear Friend:

This is a special, emergency call. We ask you to devote a few hours this weekend to checking on and selling tickets for the Carnegie Hall Assembly for Justice on September 29, 1955.

This meeting, with its fine speakers gives us the opportunity to break through in new areas in every community — if we grasp it. In the New York area, we have never before had such speakers as: United States Senator William Langer; Waldo Frank, novelist and essayist; John F. Finerty, co-counsel with Emanuel Bloch in the Rosenberg Case, attorney in the Tom Mooney and Sacco-Vanzetti cases, and member of the board of the American Civil Liberties Union; and Warren K. Billings, co-defendant with Tom Mooney.

Carnegie Hall has 3000 seats; we must fill them. On October 3rd, the Senate Judiciary Sub-Committee on Civil Rights will open its hearings. There is so much at stake. Will you re-double your efforts to see that the 3000 seats at Carnegie Hall are filled?

In addition, ushers and other help will be needed. Please help us to get people who will report to the hall at 7 P.M. to make the meeting a success. Volunteers of all kinds are needed at the office for clerical and other help.

We urge you to plan gatherings in your homes, or other places in the near future. Yuri Suhl has returned from a trip through Canada and the western part of the country. David Alman has come back from a cross-country tour. Ted Jacobs has just arrived from a European trip. All are available to speak at your parties or meetings. We urge you to schedule them and let us know.

Let us pull together now to make Carnegie Hall a real step forward to freedom for Morton Sobell.

Sincerely yours,

Aaron Schneider

Aaron Schneider
FOR THE COMMITTEE.

P.S. Leaflets are available for distribution. If you can help or want leaflets for your area, please let us know.

100-107111-18680

RE[illegible]NT FROM

THE Nation

August 27, 1955

An American Tragedy

THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG. By John Wexley. Cameron and Kahn. $6.

By Carey McWilliams

IT WAS the essential tragedy of the Rosenberg-Sobell case that the American public never received a clear and timely statement of the facts, that is, of the way in which the case began and the strange sequence of events that took place before the trial. This was not exclusively the fault of the press nor can it be entirely explained in terms of mass hysteria. The defense left a great deal to be desired. Then, too, some of the facts did not come to light until much later. The factual pattern, moreover, was inherently complex; it was not easy then—it is not easy today—to get a clear view of the case.

John Wexley, in this mammoth volume (673 pages), has tackled the problem in the right way, namely, by first giving the reader a skilfully constructed account of the events preceding the trial. In his view, the trial was an "empty ritual," the nub of the case consisting in the manner in which it unfolded. Part I, therefore, is devoted to lengthy accounts of the principal participants: Harry Gold, the Greenglasses, the Rosenbergs, Morton Sobell, Max Elitcher. These chapters make it much easier for the reader to understand what happened at the trial. As a further aid to understanding, Wexley has written an introductory chapter in which he explains — and most convincingly — why it is that tragedies like the Rosenberg-Sobell case are always compounded of many elements: tentative and reluctant half-lies; coincidences and tenuous circumstantial evidence; half-truths and full truths; elaboration and embroidery; nuances, insinuations, and innuendos; carefully dropped hints and suggestions; "piling it on" or the technique of adding glosses to the "story"; prolonged and exhaustive interrogations; self-entrapment; artful suggestion of "motive" and "intent"; and, finally, actual collusion. It is Wexley's careful analysis of the complex pre-trial factual situation, and of the trial itself in the light of this theory, that enables him to provide the reader with a clear and [illegible] account of the case. [illegible]

MR. WEXLEY makes no pretense of being neutral or dispassionate. But one does not need to accept as valid all the inferences, theories, and conclusions which he urges in order to be convinced, in the end, that the conviction of the Rosenbergs and Sobell, in Harold Urey's phrase, failed to meet the standards of American justice. There are large recurrent doubts about aspects of the case which grow more disturbing with the passage of time and Mr. Wexley's shrewd reading of the testimony reawakens and confirms many of these doubts. I have not been able to check the author's references to the record against the actual transcript; it would take an entire summer to make the comparison. Two key phases of the testimony, however, suggest the nature of his analysis.

Consider, for example, the strange case of the self-confessed spy, Harry Gold. In the trial of a man named Brothman, who was convicted of conspiring to obstruct justice shortly prior to the Rosenberg trial, Gold was on the stand for nearly five days. Not only did he freely confess that he had lied but it was clearly established that he had fabricated a mythical or fantasy existence for himself which had no relation to reality. "I had become so tangled up in this web of lies," he said, "that it was easier to continue telling an occasional one than to try and straighten the whole hideous mess out . . . . It is a wonder that steam didn't come out of my ears at times." Yet, strange as it may seem, Gold was not cross-examined in the Rosenberg-Sobell case and the jury never learned of the pattern of pathological lying to which he had confessed, as a witness, in the Brothman case. Even stranger is the fact that the judge who presided at the Rosenberg trial and the prosecutor who conducted it had occupied the same roles in the Brothman trial and were familiar with Gold's testimony in that case. Incidentally there was about this Brothman case and everything connected with it a strange air of unreality. For example, it is doubtful if a crime was actually committed; Brothman's conviction would appear to have been based on a series of delusions which Gold skilfully projected and artfully maintained. Even more interesting is the circumstance that the judge who [illegible] Gold, in the case based on his voluntary confession of espionage, had [illegible] misgivings about the confession. Mr. Wexley's account of what happened in court when Judge [illegible]mes P. McGranery, who later became Attorney General, passed sentence on Gold (pp. 72-77), makes interesting reading.

Even more convincing than his analysis of Gold's testimony is Mr. Wexley's account of the testimony of Max Elitcher. It will be recalled that the direct evidence against Morton Sobell derived solely from the testimony of Elitcher. Apart from the fact that Elitcher was "on the hook," for having previously falsified an affidavit, his testimony is inherently incredible. Elitcher we are told, was a member of a group of conspirators engaged in espionage. But a more futile conspiracy it would be difficult to imagine. The conspirators may have conspired but what they did in furtherance of the conspiracy is not clear. Four years elapsed from Elitcher's initial recruitment and still nothing happened. No documents were stolen or photographed, no files were rifled, no plans were purloined. Moreover, we are asked to believe that Elitcher was induced to enter this dangerous conspiracy after only five or six minutes conversation with a man that he had not seen for six years.

THE testimony of both Gold and Elitcher is vital to the structure of the story upon which the guilt of the Rosenbergs and Sobell depends. But the more one ponders their testimony, the more one is impressed by Mr. Wexley's statement that the trial was a political prosecution, staged in a fear-ridden atmosphere in which the guilt of the defendants was taken for granted from the moment they were arrested.

In a recently published study, Nicholas Halasz points out that the Dreyfus case was "a nightmare dreamed during a nightmare." The Rosenberg-Sobell case has the same quality.

There is little reason to believe that this book, which is not likely to be widely reviewed although it should be, will produce any immediate change in American opinion on the case; the national verdict remains the same. But the popular verdict of the future may not be the same as the popular verdict of the cold-war years. Recognition that the handling of the Rosenberg-Sobell case, from its inception to the unseeming haste with which the final motions were disposed of, did not measure up to the standards of American justice will come slowly, painfully, one phase at a time, as the nightmare of fear and suspicion out of which it emerged is finally dispelled. "The sense of right," India's philosopher-statesman C. R. Rajagopalachari has written, "is the most prominent thing that marks America's history."

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ISSUED AS A PUBLIC SERVICE BY

[redacted]

The National Committee to Secure Justice for Morton Sobell [illegible] New York 14, N. Y. [illegible]

100-107111-78681

TEXT OF AN ADDRESS* BY U.S. SENATOR WILLIAM LANGER AT THE ASSEMBLY FOR JUSTICE FOR MORTON SOBELL, CARNEGIE HALL, NEW YORK CITY, SEPT. 29, 1955.

Mr. Chairman, Mrs. Sobell and my friends. I am delighted that Mrs. Sobell told you that I was the Senator from North Dakota. You know North Dakota, believe it or not, is the greatest state in the union. Every once in a while this evening when one of these distinguished guests came to me and said they were glad I was here and commenced to pay compliments to me for being here, I said to them that we have scores of folks out there in North Dakota who would do it if they were in my place.

Why, just to assure you what strong, virile men we have out there in North Dakota, a while ago a fellow died over in England leaving $80,000 to a fellow named Joe Johnson in North Dakota, aged 80 years. So a lawyer came over from England looking for Joe Johnson. He finally came to the little town of Rugby, N.D., and there he went over to a house and said, "Does Joe Johnson live here?" "Yes." "But you don't look 80 years old." "Oh," he said, "I am only 60. You're thinking of my father. He lives up the street two blocks." And so the lawyer went up the two blocks and went over to that house. The lady of the house came out. He said, "Does Joe Johnson live here?" And she said, "Yes, but he isn't home." "Well, is he 80 years old?" "Oh yes, he is 80 years old. But he is over at the church. He is attending his father's wedding."

You know out there in the great West—and it is a beautiful country—I want to say to you New Yorkers here who take all these trips to Europe, Asia, and Russia lately, you talk about the Alps and you talk about beautiful lakes. Why, there isn't anything over there can begin to compare with the beauties of the state of North Dakota.

You know, I believe one of the greatest jobs in the United States is that of being U.S. Senator. That is especially true if you represent a great state, if you don't owe any obligations to anybody but to the people, where you can say anything you want to and do anything you want to and be entirely happy while you are doing it. I want the press to know that, and they are here, I understand, tonight to report my speech. I want them to tell the press in North Dakota that William Langer spoke here tonight and he is very, very happy to be here.

Now you know upon these other occasions on which I have appeared here in Carnegie Hall, I promised at these times to put certain articles and legal instruments into the Congressional Record, and you know it is a strange thing. I placed, and maybe Mrs. Sobell will feel better, I think, when I tell her I placed the William Peters case into the Congressional Record and he won. And I put the Scheiner case into the record and he won. Of course you all know that great champion of human rights here in New York City, Corliss Lamont. I can't tell you the great pleasure it gave me to rise on the Senate floor at the time when he was cited for contempt by the McCarthy Committee, to appear there and help Senator Lehman of your state in that great fight we made to keep Corliss Lamont from being cited. And what particularly pleased me was that a few weeks later, we, Senator Lehman and I, had the great pleasure of reading the decision of the court upon the floor of the Senate saying that Corliss Lamont was not guilty of contempt.

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Well, now you know when I became Attorney General of my state, as Mrs. Sobell told you, I was only a young fellow. That time we found 441 men (they weren't all men; there were seven women) 441 altogether confined in the Penitentiary. You know it gave me a great deal of pleasure to have a thorough investigation made of every case. You would be interested to know that in there we found two Negroes and you know in North Dakota we only have a population of 208 Negroes altogether, and so when I found two of them in the penitentiary sentenced to life, Mr. Williams and Mr. McGee, we spent $400 and got out the record and got it before the Pardon Board. Then we found out that both those men were absolutely innocent and both of them were discharged. It is our belief out there in North Dakota it is better to have 99 guilty go free than have one innocent man sent to the penitentiary.

When I came to the Senate, I had had varied experiences. One was as State Attorney General of the county, and as Attorney General of the State, and as Governor. When I became a U.S.Senator I promptly proceeded to organize a committee on national penitentiaries and nobody else wanted the job so they gave it to me. I was the chairman of that committee for a great number of years, and when the Democrats got in—due to Wayne Morse—I lost my chairmanship and the result was I am only one of three.

In these penitentiaries we have 21,500 inmates and most of these people haven't got a friend on earth. A lot of them that get in aren't as lucky as Morton Sobell to have a beautiful, fine wife who is loyal to him and anxious to help him. You find quite the opposite in some of these cases. As chairman of that committee and as a member of that committee I have investigated every penitentiary in the United States of America, every federal prison, all 18 of them, and also the work farms. It is a very simple procedure. You get up about three o'clock in the morning and you go over to the penitentiary. You have a card of admittance and they can't keep you out, because you are either the chairman or a member of this committee. We investigate to see whether there's been any discrimination—any racial discrimination. We investigate to find out whether there has been an excess of solitary confinement. We make a thorough investigation to ascertain just exactly how that penitentiary is run. And you know, my friends, upon my tombstone, if I have nothing else, I hope there will be something on there that will say that since the organization of that committee there has not been a single riot in all the 11 years in any federal penitentiary, not one. Certainly we people here in America can run those prisons in a humane manner and not run them the way Atlanta prison was run shortly before this committee was created. All the riots that they have had in various states (men have been killed, guards have been killed, guards have been held as hostages and millions of dollars worth of property have been burned), have been due to the fact that the prisoners were not treated in a humane manner, with sufficient food and with all that goes with being confined in a penitentiary.

Yet I can tell you this—of all the prisons in the United States, the worst hellhole of all is Alcatraz. I have been there time and again. I have made report after report that that prison be closed up. It was established by Spain during the period of the Spanish Inquisition over 420 years ago. There it is today, 12 acres, not enough land out there to give exercise to the prisoners. Former Attorney General Frank Murphy made an investigation of Alcatraz and he recommended that it be closed. I've taken this matter up as a U.S. Senator time and time again, and I'm happy to inform you tonight that at last Jim Bennett, Director of Prisons of the United States government, is also recommending that Alcatraz be closed, closed forever in the United States of America.

Now you know, when you have been Attorney General of the State, it's a replica of what being Attorney General of the United States is. The U.S.Attorney General only operates on a larger scale than does the Attorney General of the State. I have always maintained that it's the duty of the Attorney General of the

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state to be just as much interested in seeing that no innocent man is sent to a penitentiary, as it is to see a guilty man sent there. As chairman of the Judiciary Committee of the U.S. Senate that was our object, and you know, it's hard to describe to you here tonight the terrific power, the almost unbelieveable power, that is in the hands of the Attorney General of the United States of America. The entire Department of Justice is in his hands, the F.B.I., J. Edgar Hoover's department, 30,000 young men and some women who are working for them. You can readily understand that when a government goes in convinced that a man is guilty, what small chance that man has. I think it is just as much the duty of the F.B.I. and the Attorney General to dig up the other side of the question.

So it was when Mrs. Sobell came to me, when she came down to Washington to see me in 1954, I said to Mrs. Sobell, "I am satisfied that the Attorney General of the United States, when the Judiciary Committee asks him to intercede, will see that we get a fair deal." Now the Sobell case is going to be up in the Court of Appeals again, and so tonight I want you to know that just as soon as that is disposed of, and in the meantime, we will do what we can down there in that Senate, because believe me that body of Senators is an honest group of men who want to do what's right. When you know those men, when you know them as I know them, you're proud of them. You couldn't help but be proud of them. Now some of the men may not agree with some of your views on some matters, and a Senator may be in favor of the railroads, but he's elected by the people and if the people weren't interested in that state enough to elect somebody who had opposite views, certainly that Senator has a right to go down there and make his views known to the country. So we have down there the conservatives, and the so-called liberals, and I want to tell you tonight there's no distinction either side of the aisle between Democrats and Republicans, because we have liberals and conservatives on the Democratic side and liberals and conservatives on the Republican side. Happy to say that down there some of my most liberal friends and some of the best men on that Judiciary Committee, some of the men who are just as much interested in Morton Sobell as I am myself, would gladly put their hands to the plough, to help out to see that he gets the justice to which he is entitled.

May I say however that there's one thing that I've discovered down there in Washington that I don't like—and it isn't only down there but I found that in state after state after state. It is when you get hold of a prosecuter who wants to make a record, a prosecuter who will get hold of the press and they commence to write up stories, just like they did in the Sobell case, month after month after month after month, and poison the feelings of the people in that community before the man ever comes to trial at all, stories that aren't true, stories that mention people who never are called to testify when the trial itself takes place. They create an atmosphere—my friend Waldo Frank referred to the atmosphere in the courtroom—and so I say that in spite of the fact that a juror may be honest and say that he isn't prejudiced in that particular lawsuit, nevertheless, subconsciously, there in the back of his head he's read these stories and he's heard this stuff over the radio. You can't tell me that it hasn't made an impression. I believe if we're going to have the kind of justice we're so proud of in the United States of America, the kind of justice we should have, and the kind of justice that I believe every member of the Senate Judiciary Committee wants, somehow or other we've got to do something when a poor man, or a rich man either for that matter, when any man is charged with a crime, so that the newspapers don't blazon a lot of stuff out that isn't true about that man or about that woman, and prejudice the community. So, of course, we've got provisions for a change of venue when the judge can send the case way off to another part of the state, but usually it isn't done because of the extra expense that is involved in taking the witnesses several hundred miles away. Judges usually send the case to an adjoining county.

But I want you folks to know that the Judiciary Committee has this very much at heart--this matter of convicting an innocent person, before he's proven guilty, in the minds of the public, so that when you finally get a jury, they're unconsciously prejudiced, with the result that instead of having a fair trial like our Constitution says every man or woman should have, that man or woman doesn't get it. And I think that down there in Washington too we need legislation--I don't mean a new law, but I mean an interpretation which will say to the Attorney General of the United States: we believe it is just as much your duty to see to it that an innocent man is not sent to the penitentiary as it is to send a guilty man there--just as much your duty to use all the services of the F.B.I., all the services of all these other men that you've got to see that all the evidence is brought out, to see that no evidence is suppressed and that the jury may have all the facts. And so tonight, ladies and gentlemen, I can't tell you how delighted I've been to have been invited here tonight with my friend Mrs. Sobell. I want you to come forward Mrs. Sobell. (Motions to Mrs. Sobell to stand at his side).

My friends, I want you to know that I've got four daughters just about the same age as this young lady standing here beside me tonight, and I pledge you everything that I can do as a member of the Judiciary Committee of the United States Senate will be done to see that her husband gets justice.

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"The integrity of justice as it is administered in the United States is at stake."
—Dr. Harold C. Urey

atomic scientist

DR. HAROLD C. UREY

asks justice for

MORTON SOBELL [redacted]

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The New York Times

JREY DENOUNCES ATOM SPY'S TRIAL

Charges Sobell Verdict Was 'Not Justified'—He Also Defends Rosenbergs

Special to The New York Times.

CHICAGO, Feb. 12—Dr. Harold C. Urey, Nobel prize winner and ...

they were executed.

...ning that the integrity of ..., as administered in the United States was at stake, Dr. Urey said:

"If proper trials cannot be secured for unpopular people—and it is evident from the publicity of this trial that all those charged with crimes were unpopular—then it will become impossible to secure justice for other somewhat less unpopular people and so on until no justice is possible at all."

Dr. Urey spoke at a testimonial dinner given him by the Chicago Sobell committee. The Chicago group is a unit of the National Committee to Secure Justice ... Morton Sobell.

Urey said the group ...

Dr. Urey ... present American ... "friends ... submitted ... Clerk of the ... brief asked ... Sobell. The ... the ground ... major prose... committed ...

At the ... his charges ... presented ... of scrolls ... 5,000 pers... world in ... scientist ... ments as ... The wh... was pres... read in ... "In you... berg and ... those wh... your eval... self, you ...

Urey Hits Rosenberg, Sobell Trials

Chicago American 10—Sun., Feb. 13, 1955

...ight said that Morton Sobell, ... convicted of conspiracy to ... commit espionage and ... 30-year sentence ... was not pro...

Integrity Of Justic At Stake, Says Ure

Harold C. Urey, Nobel Prize-... scientist, told a dinner ... in his honor ... integrity of justice, as it is administered in the United States.

... and executed, while Sobell ... as their conspirator ... espionage.

At his testimonial dinner ... yesterday night in the Ham... Hotel—a dinner sponsored ... the Chicago Sobell Comm... —Urey said he is "of the ... that Sobell "was not ... tried and that the ... evidence were not ... Urey said he do... Rosenbergs ...

Chicago Sunday Tribune February 13, 1955 Part 1—Page 34 F

SCIENTIST UREY HOLDS SOBELL UNFAIRLY TRIED

Speaks at Meeting to Raise Appeal Funds

Dr. Harold Urey, Nobel prize-winning atomic scientist, said last night that the espionage trial of Julius and Ethel Rosenberg and Morton Sobell "was not in the best tradition of American justice."

Urey spoke before ... persons at a $8.50 a plate dinner in the Hamilton hotel. The dinner was sponsored by the Chicago Sobell committee for the dual purpose of honoring Urey as a scientist and raising funds to finance petitions for a new trial for Sobell or for transfer to another penitentiary from Alcatraz, where he is serving a 30 year sentence.

Holds Verdict Unjustified

Sobell, a New York scientist and engineer, "was not properly tried and the verdict and the sentence were not justified," Urey asserted, that "inclusion of the Rosenbergs in the charge" ... no sense at all" ... the Rosenbergs were ...

...trial of ... Rosenberg and Mo... Rosenbaum, was ... 15 years imprison...

It will become im... obtain justice for ... proper trials ... the publicity of this ... all those charged ... were unpopular."

...e of Insecurity

...scientist said the ... since World War ... suffering from "an ... arising from a sense ... of long range ... of soviet ...

JOURNAL Atlanta, Ga.

Sobell Trial Hit by Urey

CHICAGO, Feb. 12 ... Harold C. Urey, Nob...

...tried," and that the Rosenbergs ... were proven guilty.

Urey, a pioneer in development of the atom bomb, also criticized the government's use of the testimony of Harvey Matusow that he gave false ... Urey ...

Text of an address by Dr. Harold C. Urey, atomic scientist and Nobel Prize winner, at a testimonial dinner given in his honor by the Chicago Sobell Committee on Feb. 12, 1955, Hotel Hamilton, Chicago, Ill.

Naturally I am pleased that so very many good people have seen fit to honor me this evening. Also, I am pleased that Mrs. Sobell should present this scroll to me and thank her for her very kind words. But in a certain way the honor is of minor importance to me, certainly very minor as compared to other things associated with the activities of this evening.

As I am sure you all know, this occasion was organized from the beginning by people who believe, with me, that the Rosenberg-Sobell trial was not in the best tradition of American justice. I hope my friends who signed this scroll understood this.

I have not been personally acquainted with either the Rosenbergs or the Sobells. I am not unmindful of the terrible tragedies that have come to their lives and am very sorry about these matters, but my concern with this trial has stemmed more from a belief that the integrity of justice, as it is administered in the U. S., is at stake. If proper trials cannot be secured for unpopular people—and it is evident from the publicity of this trial that all those charged with crimes were unpopular—then it will become impossible to secure justice for other somewhat less unpopular people and so on until no justice is possible at all.

The power of our government is very great and it can afford to be just because of that great power. But there is an illness in this country since the war from which we will surely recover in time. This illness arises from a sense of insecurity and this sense of insecurity is due to the loss of our natural security barriers, namely: the Atlantic and Pacific Oceans. Our danger from foreign foes is now greater than it has ever been before in our history. This danger comes from the long range effectiveness of the aeroplane, as a carrier of powerful military weapons and to the existence in the world of a powerful revolutionary country, whose rulers do not accept the fundamental concepts of our way of life. There is a life and death struggle going on between these ways of life and I am convinced that each group is really determined to eventually destroy the other. I am in favor, as we all are, of the preservation of our way of life and I am sure that we will win in the long run and hope that the war stays cold.

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This concern with our basic security as a country has led many people, often in high places, to look for a scape goat, that is, an easy way to solve our difficulties. That scape goat has been spies, espionage agents, subversives in government. I do not condone such agents, but if all communists and all communist sympathizers should quietly die, the fundamental insecurity of this country would be the same as it is now. This very well justified concern for our security in a modern, dangerous world has led us to do things which will undermine our way of life, our form of government, our freedoms. This is my primary concern in this matter. I welcome this dinner and this scroll as a means of fighting one angle of hysteria, one bad case of injustice, as I view it.

There are many things of this kind, such as: the Oppenheimer hearings, Condon's clearance problems, the Lattimore case, passport problems, visa problems, etc. If I do not do anything about some of these things it is because of lack of energy to do so or because many other people have protested them. Perhaps the most disturbing feature of many of these procedures is the increased use of the professional informer by the Department of Justice and Congressional Committees. Recently one of these informers, Mr. Matusow, has stated that he has given false testimony and has accused Mr. Roy M. Cohn of complicity, which Mr. Cohn has denied. This specific accusation reminds one that Mr. Cohn was assistant prosecuting attorney in the Rosenberg-Sobell case. However, I warn you all that, in my opinion, communists, reformed communists and reformed reformed communists are not particularly reliable. I do not believe that they are reliable when they accuse Mr. Cohn nor when they accuse Mr. Lattimore nor when they accuse Mr. Sobell. Yet I am of the opinion, after study of the record, that Mr. Cohn's side of this story is incorrect and that Mr. Sobell was not properly tried and that the verdict and sentence were not justified.

One cannot separate the discussion of Mr. Sobell from a consideration of the Rosenberg case. In fact, one finds it difficult to understand what the evidence was against Mr. Sobell—for it was certainly far less important than that against the Rosenbergs. In fact, the great concern about the latter generally obscured the interests of Sobell. I wish to give you a brief outline of the case for I am sure many of you are not acquainted with the case and its general structure. Being a scientist, I have made a diagram of the case which enables me to understand the relationships.

The alleged conspiracy is represented by the diagram (Fig. 1). In this diagram an arrow pointing from individual A to individual B means that A testified that he had contact on espionage matters with B. No such arrow means that the individual denies such contact or there is no testimony. A broken line means assumed contact but no evidence or only indirect evidence. Gold admitted that he gave information to Yakovlev, but Yakovlev escaped from the U. S. and was not apprehended. Gold and Fuchs both admit contact. The Greenglasses admit that they gave information to Gold and that they received $500 from Gold which he said he received from Yakovlev. The money was accounted for in the Greenglass' bank account. They agreed that they matched the pieces of the gelatin box top. Gold said he received his half from Yakovlev. The Greenglass portion was in Mrs. Greenglass' hand bag. They say that they received this from Rosenberg and that the division of the gelatin box top occurred in the Rosenberg apartment. The guilt of the Greenglasses and Gold was agreed to by all three. The Rosenbergs denied dividing the gelatin box lid or giving it to the Greenglasses.

The Greenglasses say that they gave information to the Rosenbergs and that they were recruited into espionage by the Rosenbergs. The Rosenbergs denied this, and denied that they had anything to do with espionage of any kind. They maintained that their contacts were the normal relations of in-laws. (Mrs. Rosenberg was David Greenglass' sister). Elitcher and Sobell were college acquaintances of Rosenberg. Elitcher testified that he and Rosenberg discussed espionage several times, although he maintained that he and Rosenberg never

FIGURE 1

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gave each other any secret information. Elitcher had been a communist; he had sworn in connection with his employment on war work that was not, and thus had committed perjury. He testified that this was so and that he hoped for clemency as he testified against Rosenberg. He has not been indicted. Elitcher testified that he drove from Washington to the home of Sobell in 1948 and that he thought he was being followed by F.B.I. agents. He says that when he reached Sobell's home, Sobell was much disturbed by his arrival with F.B.I. agents on his trail, and that thereupon the two took a can, presumably containing photographic film, to the neighborhood of Rosenberg's home. Elitcher said that he waited in the car while Sobell delivered it. This is the only evidence of an overt act on the part of Sobell introduced at the trial. Sobell did not take the stand in his own defense. Hence a broken line in the diagram.

The Rosenbergs denied all espionage contacts with Elitcher and Sobell.

No evidence was introduced to prove contact between Yakovlev and the Rosenbergs. Gold's testimony established no contact between him and the Rosenbergs. Greenglass testified that Rosenberg tried to get him to go to college to study atomic physics in order to be more valuable as an espionage agent, and the Government inferred that Julius Rosenberg was the center of an important spy ring. No evidence, beyond that mentioned above, was introduced in support of this.

The Rosenbergs denied all accusations but refused to answer questions relative to membership in the Communist Party. They did admit to a very leftish political point of view. They never, at any time, admitted any traitorous act. Many people with whom I have discussed this case do not know this, and I, therefore, emphasize it. Had they made any such admission, I would have never spoken one word in regard to the case.

In general, it is easy to deny accusations, but it is difficult to make false accusations without inconsistencies appearing in the testimony, and for this reason it is important to consider the details of the testimony against the Rosenbergs in order to judge its reliability, and it is important to consider motives and opportunity for wrongly accusing the Rosenbergs. Also, if one assumes that the evidence against the Rosenbergs was perjured, it is necessary to be able to account for the essential facts by some other set of contacts. I believe that the essential evidence for the conviction of the Rosenbergs was that given by David and Ruth Greenglass, that their testimony contains unbelievable statements, that the plausibilities of certain details of their testimony can be explained, that they had powerful motives for involving the Rosenbergs unjustly, and, finally, that all the facts of the atomic espionage can be accounted for without the involvement of the Rosenbergs at all.

Elitcher testified to several conversations with Sobell in which espionage was discussed, but that no information ever passed between them. Do espionage agents constantly discuss their activities with old college friends without getting any information? This seems most improbable. The tale that Elitcher, who had never engaged in espionage, told of accompanying Sobell on an espionage errand when he believed F.B.I. agents were following him seems to me to be completely fantastic. Why choose to do this right under the eyes of the F.B.I.?

The bitterness that the case has aroused and the sentence imposed on the Rosenbergs and on Sobell was justified by Judge Kaufman on the basis of atomic espionage and yet no evidence was given connecting Sobell with this activity at all. In fact, no evidence was given except that relating to the transfer of a can containing 35 mm. film, and that by a confessed perjurer hoping for leniency.

Sobell was convicted and sentenced on the basis that he was part of a conspiracy and hence was guilty of many things which he personally did not do. Judge Jerome Frank stated that he should have been tried on a separate conspiracy. Judge Kaufman stated to the jury that they could not find Sobell guilty unless they believed Elitcher. I find Elitcher's testimony very doubtful —in fact, I find it most unconvincing. We should note that no court passed on the credibility of the testimony of any witness, due to the fact that higher Federal Courts do not review this question. The Supreme Court of the U.S. has refused to accept jurisdiction and this does not constitute a review of the case.

However, to return to the general case, we need to recognize that some espionage was performed. Fig. 2 shows an alternative diagram of the case. This differs from the first case only in the shifting of the arrow from the Greenglasses to the Rosenbergs to an arrow from the Greenglasses to Yakovlev. A contact to another agent of the U.S.S.R. would serve as well.

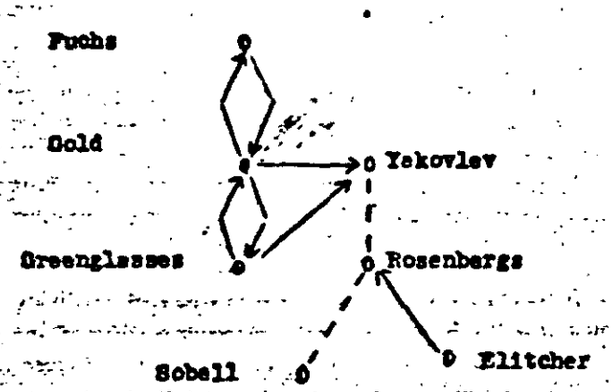
If the Greenglasses had direct contact with Yakovlev or other Russian agents all the requirements of the other testimony are met. A gelatin box lid was divided. Gold presented one half at Albuquerque which he said

he got from Yakovlev. The Greenglasses had the other half which they said they received from Rosenberg. On this basis Rosenberg gave the other half to Yakovlev and he in turn gave it to Gold. But, suppose Yakovlev divided the lid and gave one half to Gold and the other to Greenglass or to Mrs. Greenglass. In this case Rosenberg was unnecessary. Also, the Greenglasses can tell a very realistic tale of the division by substituting the Rosenbergs for Yakovlev. In fact, the inclusion of the Rosenbergs in the conspiracy makes no sense at all. They are unnecessary unless Julius was, indeed, the head of a big espionage ring, and the proof of the existence of that ring is non-existent up to the present time. If only the Rosenbergs had confessed! But we are reasoning in circles. The Rosenbergs were unnecessary to the plot and would have been only another point where the entire espionage effort could have been discovered.

If Yakovlev, or another Russian, could contact the Rosenbergs, why could he not contact the Greenglasses, and then why pass $500 through the Rosenbergs' hands instead of giving it to the Greenglasses directly? Would you confess to being the head of a non-existent spy ring and let your children live under that stigma, or would you go to the electric chair maintaining your innocence? The letters of the Rosenbergs written to each other in Sing Sing prison give their answer to exactly this question.

Note where this diagram leaves the Rosenbergs and Sobell. Both are completely out of the atomic espionage ring and now we ask what did they do? Even the confessed perjurer's testimony, except for the one overt act,

FIGURE 2



only states that they talked espionage without ever doing any. Well, one should not talk espionage and if they had been given five years at Lewisburg, we might think justice had been done—that is, if you believe the testimony. I do not believe the testimony.

On such a basis, two people have been executed and one is in prison for 30 years on Alcatraz. And where are the surely guilty ones? One, David Greenglass, is in Lewisburg for 15 years. Two others, Ruth Greenglass and Max Elitcher, have never been indicted and tried.

Would it not be a wonderful trick for the communists if they could get innocent people sent to the electric chair and imprisoned for 30 years and get guilty ones set free or given moderate sentences? This is exactly what I think has occurred. This is one point to which the current hysteria has carried us.

MOTIVES

Elitcher had committed perjury and at the time of his testimony had not been indicted, tried and sentenced. He has not been so indicted or tried since. Had he been sentenced, no matter to what term, at the time of his testimony he would still have been anything but a reliable witness. I do not trust communists nor ex-communists nor perjurers, and I am sure that this view is shared by many others. But when pressure is put on such people, I trust them to do whatever they think necessary to get themselves out of their difficulties, especially when wives and children are involved. Surely Elitcher was tempted to give the testimony that the government wished to have.

The Greenglasses have admitted to a crime for which the maximum penalty is death. It is a custom in the United States to give consideration in sentencing a criminal to the degree of co-operation which he has given to the law enforcement authorities during the preparation and prosecution of the case. I suppose that criminals are advised of this situation by their attorneys or in other ways. At the time of the trial, David Greenglass had been indicted and was on trial but had not been sentenced, and the sentence could have been death. Ruth Greenglass has never been indicted and she was not a defendant in the trial. David Greenglass was given a 15 year prison sentence. It seems to me that the hope of lenient treatment must have constitued a motive for co-operation with the prosecution.

But "cooperation" is not synonymous with perjury and accusation against innocent people. Or is it? Does it

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not depend on what the facts are? If the Greenglasses' contact was Yakovlev and not the Rosenbergs (see Fig. 2), the revelation of this fact would have given the government nothing since Yakovlev was in Russia. What takes place in a criminal's mind when he is trapped and the electric chair appears in his dreams? I do not know, but it seems likely to me that both the Greenglasses would have confidently expected 30 year prison terms if they had admitted that their contact was with Yakovlev or some other agent of the U.S.S.R.

People ask why the prosecuting attorney and the F.B.I. and the judge should wish to see two insignificant people put to death unjustly. After considerable conversation with lawyers on this subject, including one who worked on the government side of the case, I conclude that lawyers are more interested in the law than in justice. Mostly they are interested in whether all the legal machinery functions according to all the rules, and are not in the least interested in the argument presented in this paper. There are exceptions, of course, as for example Professor Stephen Love and Professor Sharp, who helped the defense during the last weeks of the case without remuneration once he believed that a serious miscarriage of justice had occurred. However, it is my belief that the prosecution believed the Rosenbergs guilty. Once having believed the Greenglass account and having based the prosecution on this it would be difficult to adopt another point of view later. In fact, people do not allow themselves to be convinced that they have made such a horrible mistake as I believe has occurred. Once the government adopted this theory of the case, all concerned with it were trapped and were forced to continue to believe it.

CONCLUSION

I cannot review in a talk of this kind all the details of this case. This is better done by lawyers anyway. I commend to you Professor Love's statement on the case and Professor Sharp's book on the subject. But also a word in my own defense in presuming to say anything about the case. We have public trials in this country. The purpose of this surely is not to provide a Roman holiday, a substitute for a gladiatorial combat; but this is done so that each of us can judge the conduct of the trial. This means that you and I have the right to criticize the court, the jury, the prosecution, the defense, everything about it. In criticizing this case, I am exercising certain rights that were mine at birth and I wish to keep them until death. We all of us have the right to form an opinion in regard to these matters and mine is adverse in regard to this case.

I also wish to make a statement in regard to a remark that has come to me from a number of scientists. They say essentially, "Well, if you only knew what I know," or rather mostly, "if you only knew what someone I know knows about the case!" The inference always is that much secret information exists that proves everything but for security reasons, it cannot be made public. My answer to that is that I do not believe this inference and do not believe people should be executed and imprisoned on secret evidence. I have discussed this question with a man, who saw some of the secret data at least. He says that Greenglass' paper looked to be genuine and that it contained valuable information. I have accepted this as fact, but does a paper tell you to whom the paper was given? My reply to these insinuations has been just as I have said above. There has been no answer to them. Before I accept these statements they must be told publicly so that we all can judge them.

I have been interested in this case and shall be interested in other similar cases because of my concern for the integrity of justice in this country. It is better to review a case in which we believe injustice has been done than to wait for the next one, when further injustice may occur. Will you not all try to do something about this series of doubtful trials or quasi judicial procedures that threaten our security as individuals living in a great free country.

I thank you all again for this dinner and scroll.

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Helen Sobell, wife of Morton Sobell, presents Dr. Urey with a bound volume of some 6,000 scrolls signed by prominent persons throughout the world honoring Dr. Urey for his achievements as a scientist and contributions as a citizen.

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in atomic energy. There remains the question whether the sentence for such a conspiracy could be imposed under the Espionage Act."

What if the Rosenbergs had been tried under the Atomic Energy Act? The prosecution attorney told the Supreme Court that the government would have been laughed out of court if the indictment had been brought under the Atomic Energy Act. Justice Douglas agreed. So, with the Rosenbergs already executed, we have an admission that they would not have been convicted if tried under the law that three Supreme Court Justices believe applied to the case.

All of these opinions do not take into account the mounting evidence that the Rosenbergs were convicted on perjured testimony. What about the documents proving that David Greenglass lied, that the Rosenbergs bought the controversial console table at a department store and did not get it from the Russians as the prosecution had charged, that Greenglass was incapable of stealing atomic secrets?

NEW TRIAL FOR SOBELL

History may recognize the injustice done to them, but there can be no compensation for the Rosenbergs. No future apology will bring their parents to little Michael and Robbie, nor will it wipe out the crushing blow to American traditions of justice and mercy.

However, there is still time to halt a miscarriage of justice in the case of Morton Sobell, who was a co-defendant with Ethel and Julius Rosenberg. Sobell, convicted on the word of a man who faced a perjury indictment, was sentenced to thirty years at Alcatraz. He swears he is completely innocent.

Alcatraz is a place reserved for murderers and hardened criminals. No children are allowed to visit there. This means that Sobell cannot see his four-year-old son Mark or his daughter Sydney, who is 13.

The many and grave doubts surrounding the entire Rosenberg case call for a new trial for Morton Sobell. He must get the day in court, the full measure of justice that the Rosenbergs never had. Meanwhile he should be removed from the inhumane conditions at Alcatraz to another prison where he can see his children while waiting for all of the facts in his case to come to light.

The National Committee to Secure Justice in the Rosenberg Case urges justice for Morton Sobell. A new trial would be a step toward guaranteeing that the injustice suffered by the Rosenbergs will never again stain the conscience of America.

Issued as a Public Service by:

THE NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE

1050 Sixth Avenue, New York 18, N. Y. • LOngacre 4-9585

"This Court has never reviewed this record and has never affirmed the fairness of the trial."

—Justice Hugo Black

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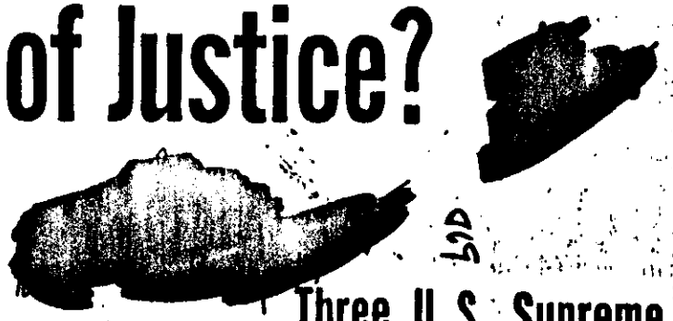
Did the Rosenbergs Have Full Measure of Justice?



Three U. S. Supreme Court Justices Reveal the Rosenbergs Did Not Have Their Day in Court

Americans who picked up their newspapers on Thursday morning, June 18th, learned that it might not be legal to execute Ethel and Julius Rosenberg. Supreme Court Justice William Douglas had stated his grave doubts and granted a stay so the courts would be enabled to study the case. Newspaper reports indicated the possibility that the entire case might be thrown out of court. The New York Times, for instance, featured the headline "CASE SEEN IN PERIL."

The next day the Rosenbergs died in the electric chair.

American justice is still reeling from the haste with which the Rosenbergs were rushed to their deaths. The world is appalled that a mother and father were electrocuted while grave legal doubts still remained.

And there is no mistake about that. Grave doubts do exist. Justices Hugo Black, William Douglas and Felix Frankfurter are agreed that Ethel and Julius Rosenberg may have gone to their deaths illegally. All three have said that more time was needed by the courts.

The misconception has been foisted on the public that the Rosenbergs received the full measure of justice and had their day in court. President Eisenhower, in denying clemency, said that "when in their most solemn judgment the tribunals of the United States have adjudged them gulity and the sentence just, I will not intervene in the matter."

But President Eisenhower has confused a repeated denial of justice with a prolonged consideration of the case.

It is an incontrovertible fact that the Supreme Court, the highest court of the land, never passed on the fairness of the trial and the justness of the death sentence. It never reviewed the case, and consequently it never read the trial transcript.

DEATH DECREED REGARDLESS OF INNOCENCE OR GUILT

Ethel and Julius Rosenberg swore that they were completely innocent. Against their word was the word of David Greenglass, who claimed that the Rosenbergs induced him to steal the "secret" of the atomic bomb. Judge Jerome N. Frank of the U. S. Circuit Court of Appeals said that without the Greenglass testimony there would be no case against the Rosenbergs.

One week before the execution Dr. Harold C. Urey, the nation's foremost atomic scientist, a man who helped develop the atomic bomb, told President Eisenhower that Greenglass could not possibly have stolen the secret. He said in a telegram that "a man of Greenglass' capacity is wholly incapable of transmitting the physics, chemistry and mathematics of the atomic bomb to any one." Dr. Urey asserted that the prosecution's case "depends upon the blowing up of patently perjured testimony." He asked President Eisenhower for an appointment to present his understanding of the case personally.

But Dr. Urey never received an answer to his telegram. Nor was he able to get an appointment with Attorney General Herbert Brownell, who refused to see any one connected with the legal defense or clemency appeals.

This unwillingness to discuss the Rosenberg case with Dr. Urey was characteristic of the role the Justice Department had played for the past two years. Every attempt on the part of the defense to present new evidence was opposed. Every effort at postponing the execution to allow presentation of new facts was blocked.

The Attorney General's office was determined not to entertain any delay in the execution. It wanted an execution, not the truth. June 18th, the Rosenbergs' fourteenth wedding anniversary, was set for the double execution.

JUSTICE DOUGLAS GRANTS A STAY

Throughout America and throughout the world there were appeals that the Rosenbergs be spared. As the execution date neared the pleas mounted. Vincent Auriol, the President of France, urged clemency. Douglas Dillon, U. S. Ambassador to France, reported that the Embassy in Paris had been besieged with clemency pleas and warned that the execution would hurt U. S. prestige abroad. In England a delegation of members of Parliament urged Prime Minister Churchill to intervene with President Eisenhower. The Vatican radio, elaborating on previous pleas for mercy made by Pope Pius XII, broadcast recommendations of clemency. "Save the Rosenbergs" had become a world wide cry.

JUSTICE DOUGLAS

In Washington, 13,000 men, women and children from all parts of the United States gathered before the White House on Sunday, June 14 to call upon President Eisenhower to grant clemency. The gathering, which police said was the largest they had ever seen at the White House, represented Americans of all political and religious beliefs who had been moved by the plight of the Rosenbergs. Clemency had been requested by reknowned scientists, religious leaders, labor leaders, leaders of the Negro people, professors, and legal authorities.

On Tuesday, June 16, the Rosenberg defense asked Justice Douglas for a stay of execution. It is within the power of a single Supreme Court Justice to grant such a stay. Mr. Justice Douglas was presented with an argument that had not previously been considered by the High Court. It was argued that the Rosenbergs should have been tried under the Atomic Energy Act of 1946, not the Espionage Act of

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1917. Under the Espionage Act the judge can impose the death penalty at his own discretion. Under the Atomic Energy Act a jury recommendation is needed for the death sentence. There was no such jury recommendation in the Rosenberg case, only the decision of Judge Irving Kaufman.

For twelve hours Justice Douglas deliberated, carefully weighing the law. *The following day, on Wednesday, June 17th, he announced that he was granting a stay.* Justice Douglas said that the point raised in behalf of the Rosenbergs was a substantial one that needed more time for study by the lower courts. He said:

> **"It is important that the country be protected against the nefarious plans of spies who would destroy us. It is also important that before we allow human lives to be snuffed out we be sure—emphatically sure—that we act within the law. If we are not sure, there will be lingering doubts to plague the conscience after the event."**

Humanity breathed easier. The Rosenbergs had been granted a legal reprieve, at least until the fall of 1953.

THE JUSTICE DEPARTMENT IS ASTOUNDED

Newsmen reported that Attorney General Brownell, America's administrator of justice, was astounded by the action of Justice Douglas. He seemed to feel that the execution was slipping away, since the normal procedure now required that the case be held over until the fall, the courts having adjourned for the summer.

But these were not days of normal procedure. Attorney General Brownell insisted that Chief Justice Vinson reconvene the Supreme Court immediately in special session, to reverse Justice Douglas so the execution could go on as scheduled.

Commented Justice Black in his opinion:

> **"Surely the Court is not here establishing a precedent which will require it to call extra sessions during vacation every time a federal or state official asks it to hasten the electrocution of defendents without affording this Court adequate time or opportunity for exploration and study of serious legal questions."**

Chief Justice Vinson promptly recalled the Justices from their vacations for a new term on Thursday, June 18th. Meanwhile, there were attempts on the part of those who wanted to rush the Rosenbergs to their death to create a mob atmosphere to pressure the court. Representative Wheeler of Georgia introduced in Congress a move to impeach Justice Douglas. Newspaper editorials charged Mr. Douglas with obstructing justice. An attempt obviously was being made to create the false impression that Justice Douglas had acted illegally and had usurped the authority of the entire Court.

The Supreme Court itself, however, contradicted this impression when it made clear, on June 19th, that

> **"The Acting Solicitor General agrees and we do not doubt that Mr. Justice Douglas had power to issue the stay in these proceedings."**

What *was* doubtful was whether the entire Court had the power to set aside the stay granted by Justice Douglas.

Justice Black wrote, on June 19th:

> **"The Government argues that this Court has power to set aside the stay granted by Mr. Justice Douglas. I think this is doubtful. I have found no statute or rule of court which permits the full Court to set aside a mere temporary stay entered by a Justice in obedience to his statutory obligations."**

Representative Francis E. Walter of Pennsylvania, a member of the House Judiciary subcommittee, also said that the Supreme Court did not have the authority to reverse Justice Douglas.

"There is absolutely nothing in the act of 1925 (under which Justice Douglas granted the stay)," Walter said on June 19, "that gives the Supreme Court authority to review the action of one of the Justices acting under the statutes."

Walter explained that the action of a single justice must send the whole case back to the lower courts. To return to the full Supreme Court, it must be processed through District and Appeals Courts.

THE EXECUTIONER STANDS BY

Observers could not recall another instance in American history when the United States Supreme Court was meeting while an executioner stood by waiting to go into action as soon as the Court would render its decision. What made the Department of Justice so certain that the decision would be death? Yet on Thursday, June 18th, officials at Sing Sing were going ahead with their preparations to put the Rosenbergs to death that very night—while the Supreme Court was still sitting in extraordinary session. Until late that afternoon the Rosenbergs themselves were subjected to the unparalleled torture of not knowing whether they would live or die that night. Finally the Court announced that it would make its decision known the following day—Friday, June 19th.

After noon on Friday, June 19th, the Court announced that it was vacating the stay granted by Justice Douglas. Justice Douglas, Black and Frankfurter dissented.

The execution followed so rapidly that Justice Frankfurter did not have time to make his dissent public until after Ethel and Julius Rosenberg were dead.

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The following Monday Justice Frankfurter wrote:

"To be writing an opinion in a case affecting two lives after the curtain has been rung down upon them has the appearance of pathetic futility. But history also has its claims."

THE MISSING DAY IN COURT

Those who say the Rosenbergs had their day in court are repeating a myth. But, one may ask, didn't the Supreme Court consider the case so many times? The answer is, as Justice Frankfurter has stated, that refusal by the Supreme Court to review a case in no way implies approval of the decision by the lower courts. The Supreme Court never passed on the fairness of the trial or the justness of the sentence.

JUSTICE FRANKFURTER

Even the majority opinion of the Supreme Court's rejection of the Rosenbergs' final plea, written by Mr. Justice Jackson and concurred in by Justices Vinson, Reed, Burton, Clark and Minton, said:

"Vacating this stay is not to be construed as indorsing the wisdom or appropriateness to this case of a death sentence."

Justice Black wrote in his dissent:

"It is not amiss to point out that this Court has never reviewed this record and has never affirmed the fairness of the trial below. Without an affirmance of the fairness of the trial by the highest court in the land there may always be questions as to whether these executions were legally and rightfully carried out. I would still grant certiorari and let this Court approve or disapprove the fairness of the trials."

All three dissenting Justices criticized the irregular and injudicious haste of the executions.

To quote Justice Black:

"I do not believe that Government counsel or this Court has had time or an adequate opportunity to investigate and decide the very serious question raised in asking this Court to vacate the stay granted by Mr. Justice Douglas. . . . I add my regret that the rush of this case has deprived me of any opportunity to do more at this time than hastily

[illegible] the important questions raised. . . .

"Judicial haste is peculiarly out of place where the death penalty has been imposed for conduct part of which took place at a time when Congress appears to have barred the imposition of that death penalty by district judges acting without a jury's recommendation. And it seems to me that this court has not had time or opportunity for sufficient study to give the kind of informed decision on this important question it would if the case should take its regular course."

Justice Frankfurter wrote:

"Neither counsel nor the Court, in the time available, were able to go below the surface of the question raised by the application for a stay which Mr. Justice Douglas granted. More time was needed than was had for adequate consideration. . . .

"The crux of all I am suggesting is that none of the obvious considerations for bringing the all too leaden-footed proceedings in this case to an end should have barred the full employment of the deliberative process necessary for reaching a firm conclusion on the issue on which the Court has now spoken, however unfortunate it may be that the issue did not emerge earlier than it did."

THE DOUBTS MOUNT

The doubts in the Rosenberg case did not die in the electric chair. They are now intensified as a result of the dissenting opinions of Justices Black, Douglas and Frankfurter, who question the legality of the death sentence. Was the execution within the law?

Justice Black declared:

"It is my view, based on the limited arguments we have heard, that after passage of the Atomic Energy Act of 1946 it was unlawful for a judge to impose the death penalty for unlawful transmittal of atomic secrets unless such a penalty was recommended by the jury trying the case."

Justice Douglas said:

"The cold truth is that the death sentence may not be imposed for what the Rosenbergs did unless the jury so recommends. . . . I know deep in my heart that I am right on the law. Knowing that my duty is clear."

Justice Frankfurter wrote:

"It thus appears—although, of course, I would feel more secure in my conviction had I had the opportunity to make a thorough study of the lengthy record in this case—that the conspiracy with which the Rosenbergs were charged is one falling in part within the terms of the Atomic Energy Act, passed by Congress in 1946 and specifically dealing with classified information pertaining to the recent developments

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Morton Sobell and his wife, Helen

prepared as a public service by
The National Committee to Secure Justice in the Rosenberg-Sobell Case,
[illegible] Avenue, New York [illegible], N. Y.

THE SCIENTIST IN ALCATRAZ

16 QUESTIONS AND ANSWERS ON THE CASE OF

Morton Sobell

[redacted]

Who Is Morton Sobell?

He is a 36-year-old scientist and engineer born in New York City and convicted in the same trial with Ethel and Julius Rosenberg on a charge of "conspiracy to commit espionage." He was sentenced to 30 years in prison and is now in Alcatraz. *To this day Sobell swears he is completely innocent.*

What Is His Background?

Ever since his school days Sobell aspired to be a scientist. He was graduated as an electrical engineer from City College of New York, worked for the Bureau of Ordnance of the Navy Department, received a degree of Master of Science in Engineering from the University of Michigan, passed up a fellowship so that he could do war work against the Axis, was registered on the National Roster of Scientific Personnel for the War Manpower Commission, cooperated in 1944 with the Senate Committee investigating the National Defense program, worked for the General Electric Company and was employed by the Reeves Instrument Company.

During his college days and later during his professional life, Morton Sobell was an ardent liberal who vigorously supported Franklin D. Roosevelt and his New Deal policies.

Sobell is married. Until the time of his arrest, he lived with his wife, Helen, their son, and his wife's daughter by a previous marriage. Sobell's wife, his parents, Rose and Louis, and the entire Sobell family, have dedicated themselves to proving his innocence.

What Was the Charge?

Sobell was charged with "conspiracy to commit espionage" with Ethel and Julius Rosenberg. Sobell was not named in the first indictment in the case. He was brought into the case in a "superseding" indictment. The only specific charges listed against Sobell by the prosecution were that he had five conversations with Julius Rosenberg. These five conversations were required to be proved in court. *They never were even mentioned during the course of the trial.*

What Was Sobell's Connection With Julius Rosenberg?

Sobell knew Julius Rosenberg when they were classmates at City College. They were part of a circle of friends. After graduation Sobell and Rosenberg visited each other socially a few times. Rosenberg, who testified to his own innocence, also testified that Morton Sobell was innocent.

[fol. 4] IN UNITED STATES DISTRICT COURT

COMPLAINT—August 8, 1950

Affidavit of REX I. SCHODDE

Approved; MYLES J. LANE, Chief Assistant U. S. Attorney

Before: Honorable Edward W. McDonald, United States Commissioner, Southern District of New York

UNITED STATES OF AMERICA

v.

MORTON SOBELL

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the object thereof, the defendant and co-conspirators did commit, among others, the following overt acts:

1. In January, 1946, the defendant Sobell had a conversation with Julius Rosenberg at the Southern District of New York.

2. In June, 1946, the defendant Sobell had a conversation with Julius Rosenberg at the Southern District of New York.

3. In February, 1947, the defendant Sobell had a conversation with Julius Rosenberg at the Southern District of New York.

4. In July, 1947, the defendant Sobell had a conversation with Julius Rosenberg at the Southern District of New York.

5. In May, 1948, the defendant Sobell had a conversation with Julius Rosenberg at the Southern District of New York; in violation of Section 34, Title 50, United States Code (1946 Edition).

—Trial Transcript, p. 26

Above are the charges made against Sobell. These conversations were never mentioned during the trial.

What Were the Circumstances of Sobell's Arrest?

Morton Sobell and his family went to Mexico on June 22, 1950. On Aug. 16, 1950, his apartment in Mexico City was invaded by armed men who claimed to be Mexican police but had no warrant.

—Trial Transcript, p. 31

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[fol. 11] AFFIDAVIT OF SOBELL IN ARREST OF JUDGMENT

STATE OF NEW YORK,
County of New York, ss:

Morton Sobell, being duly sworn, deposes and says:

I am one of the defendants herein and I make this affidavit in the interest of justice and in furtherance of my rights as an American born and brought up in this country.

On Wednesday, August 16, 1950 at about 8:00 P. M. we had just finished our dinner in our apartment in Mexico City in the United States of Mexico, and while my wife and I were lingering over our coffee there was a knock on the door. My older daughter opened the door and three men burst into the room with drawn guns and bodies poised for shooting; these men did not ask my name, did not say what they wanted. I demanded to see a warrant, or some other legal process. No reply, except some vague charge that I was one "Johnny Jones" and that I robbed a bank in Acapulco in the sum of $15,000.00 was made. Of course, I vehemently denied the charge and tried to show them my papers, visas, etc., to prove that I was no bank robber.

One of the men showed a piece of metal in his hand and [fol. 11-1] said they were police. They were dressed in civilian clothes. A fourth man came later. He also was in civilian clothes.

Only about 10 minutes lapsed from the time that they came till they hustled me out, and that was after I insisted on calling the American Embassy; but without being permitted to do so.

They picked me up bodily and carried me down from the fourth floor to the ground floor. In the street I kept shouting for the police. A taxi was hailed and they opened the door, tried to force me into the taxi; when two more men came in and beat me over the head with black jacks until I lost consciousness. I woke up in the taxi and I was crouched horizontally at the feet of the three men.

They accused Morton Sobell of having robbed a bank in Acapulco. Sobell protested his innocence, showed his tourist card and tried to call the American Embasy. The men dragged him out of the house. Sobell was beaten unconscious and taken to an office building. His wife, protesting the kidnapping and screaming for help, was also seized. The two Sobell children were left alone for several hours until another group of armed men came to get them. The men also gathered up some of the Sobell belongings and stuffed them into suitcases.

At 4 a.m. Sobell was put in one car with armed guards instructed to kill him if he "made trouble," and his wife and children were put in a second car. They rode for 24 hours without stopping until they reached the U. S. border. At 2 a.m. Mrs. Sobell, in a state of collapse, was released with the children. Sobell was turned over to the F.B.I.

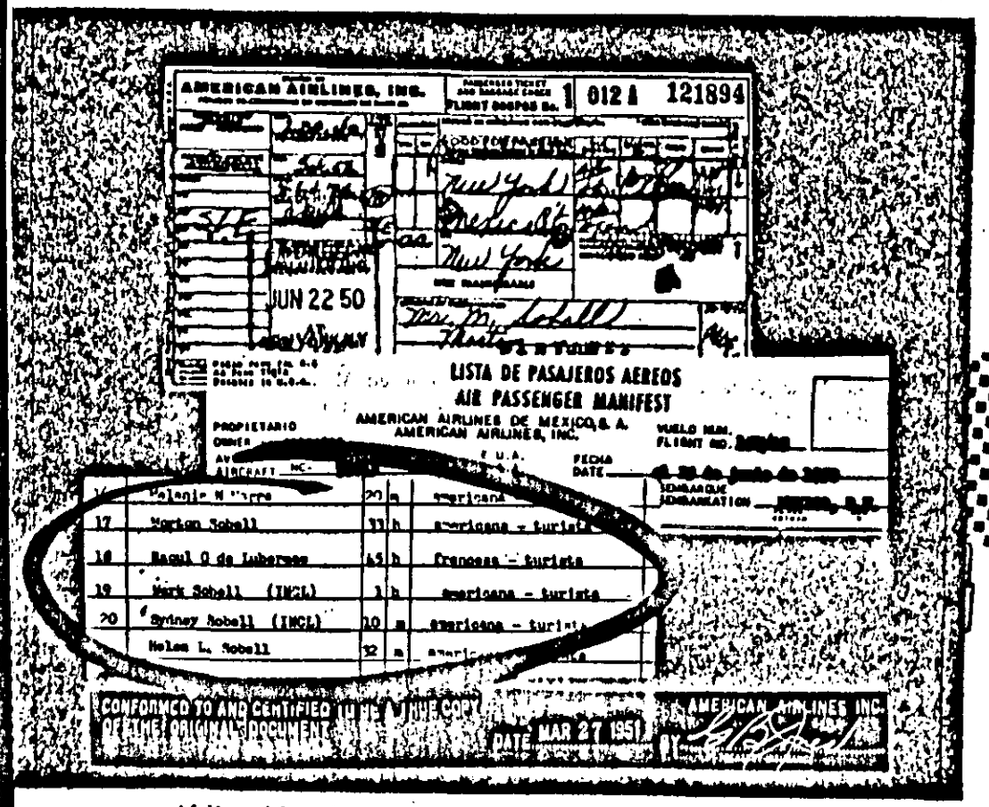
The New York *Times* on Aug. 18 1950, quoted Mexican immigration officials as saying that Mexican secret police did not report to their office, but delivered Sobell directly to the F.B.I. This procedure was termed "unusual" by the assistant chief of Mexican immigration. An article in the New York *Times* on Aug. 19 stated: "The case was surrounded by extraordinary secrecy. The four agents who made the arrest still refused to furnish details. It was not known in exactly what manner Mexican authorities deported the instrument specialist." The government promptly issued inflammatory stories to the press charging that Sobell was an atom spy. He was convicted in the headlines before being brought to trial.

Why Was Sobell Kidnapped?

The lack of evidence against Morton Sobell was underscored by the unlawful kidnapping of Sobell and his family from Mexico. By the kidnapping, the government showed that it did not even have enough evidence to extradite him from Mexico through legal channels, let alone prove espionage activities.

The kidnapping also deprived Sobell of his right to return voluntarily to face charges. The government thereby tried to make it appear that Sobell was a fugitive. It should be noted that Sobell later waived extradition from Texas, anxious to be brought to New York to fight the charges against him.

Sobell stated that he and his family were vacationing in Mexico. The plane tickets in his name and the passenger list of the airline show that Sobell and his family went to Mexico as tourists in a routine manner. In a legal motion Sobell's attorney presented the uncontradicted fact that the Sobell family had received the vaccinations needed to return to the United States just before the kidnapping. Proof of the vaccinations, their child's return plane ticket to the United States, family movies of their tour, as well as camera, watch, clothing etc., were among personal belongings which disappeared at the time of the kidnapping. The return plane ticket has been found to be in the possession of the F.B.I.


AMERICAN AIRLINES, INC.

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LISTA DE PASAJEROS AEREOS
AIR PASSENGER MANIFEST
AMERICAN AIRLINES DE MEXICO, S. A.
AMERICAN AIRLINES, INC.

16	Melanie N Pierre	20	m	americana
17	Norton Sobell	33	h	americana - turista
18	Raoul O de Luberness	45	h	francesa - turista
19	Mark Sobell (INCL)	1	h	americana - turista
20	Sydney Sobell (INCL)	10	m	americana - turista
	Helen L. Sobell	32	m	americana

CONFORMED TO AND CERTIFIED TO BE A TRUE COPY OF THE ORIGINAL DOCUMENT

DATE MAR 27 1951

AMERICAN AIRLINES INC.

Airline tickets bought in Sobell's name, as certified by American Airlines, and the listing as tourists of Sobell and his family on the airline passenger roster show Sobell went to Mexico in a routine manner.

What Was the Evidence?

No documentary evidence linking Sobell to espionage was ever introduced in the trial. Of 118 witnesses listed by the prosecution, only one man connected Sobell to the conspiracy charged. This witness was Max Elitcher, a neighbor of the Sobell family and one of Sobell's former classmates at City College.

What was Elitcher's testimony?

a) In the first 12 pages of Elitcher's testimony, he did not mention Sobell in connection with espionage. Elitcher finally linked Sobell to the conspiracy with the statement that Julius Rosenberg had told him Sobell was in it too.

b) Elitcher said that one night he drove to Morton Sobell in New York from Washington, D.C., believing that the F.B.I. was following him. He told this to Sobell, says Elitcher, and then was asked by Sobell to accompany him to Julius Rosenberg, allegedly also a spy. (*Elitcher admitted under cross examination that his story was added to his testimony 4 months after Sobell's kidnapping from Mexico*).

Elitcher asked us to believe that spies, knowing they were being followed by the F.B.I., would visit each other.

c) Elitcher also tried to say that Sobell had "confessed" to him that he was a spy. These are Elitcher's words:

> A. Well, he said, I don't know in what words, or implied that it had to do with this espionage business, but I don't recall the exact nature of the words.
>
> —Trial Transcript, p. 249

Other conversations such as the above and Elitcher's story of the ride constitute the total evidence linking Sobell to espionage. Again it should be noted that the five conversations with Julius Rosenberg charged against Sobell were not mentioned during the trial.

Other government witnesses testified regarding the circumstances of Sobell's stay in Mexico. But no contention was made that this testimony proved any direct connection with espionage activities.

Can Elitcher Be Believed?

In his charge to the jury, *Judge Irving Kaufman said: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."*

Max Elitcher admitted in the trial that he had committed perjury in another matter. He admitted he was afraid of a possible perjury indictment that could bring him a five-year sentence. Elitcher testified that he had signed a non-Communist oath and had perjured himself. Elitcher also testified that he and his wife had been undergoing psychiatric treatment.

For testifying against Sobell, Elitcher was rewarded by never being indicted for his admitted perjury. He also received a high-salaried job obtained with the assistance of the F.B.I.

Under cross-examination Elitcher revealed many inconsistencies and contradictions in his testimony. He was compelled to admit that there were discrepancies in his story.

Should a man spend 30 years in Alcatraz on the kind of testimony presented by Elitcher, a man who had every reason to lie to save his own skin?

Did Sobell Change His Name?

The prosecution tried to prejudice the jury against Sobell by introducing evidence that he had changed his name in Mexico. In a statement submitted to the Circuit Court of Appeals on Oct. 5, 1953, in connection with his appeal. Sobell said:

". . . the newspapers suddenly published the news of Julius Rosenberg's arrest (July 16, 1950) as an alleged "atom spy." To me, the charge was absurd, but nonetheless frightening in what it meant. I had known Julius in City College years before, we had been together in a number of progressive student organizations during our college days, and had seen each other infrequently since then. I felt that he was being persecuted for political reasons, and that the charge was calculated to intimidate and silence political dissent in the United States. I reasoned that anybody who opposed the then new Korean war, or otherwise dared to speak up and oppose any American policies he disagreed with, would be slapped into jail on one pretext or another. But this led me to make the mistake of feeling that a dictatorship was already taking over my country.

"Then, and only then, was it that I left the family in the Mexico City apartment and traveled around Mexico—to Vera Cruz and Tampico—even using false names, and inquiring about passage to Europe or South America for all of us. It is hard to understand how I might have been led to do such a stupid thing, but it didn't take long for me to recognize how inept and pointless it was. Of course, I had no idea how it could be misinterpreted, and how dangerous it would turn out to be.

"So I went back to Mexico City, and my wife and I talked it over once again. We realized that our ties to home were too strong, that we owed it to everyone to return and help to combat the repressive tendencies from which we had contemplated staying away and 'sitting it out.' I know now how right this last decision was, and how wrong I was to think I could isolate myself from others who had the same problem . . ."

Why Didn't Sobell Take the Stand?

In his affidavit on Oct. 5, Sobell stated:

". . . I am impelled to submit this affidavit particularly because my counsel have informed me that at every stage of this proceeding, since the trial, the United States attorney has stressed in oral argument and affidavit, the fact that I did not take the stand in my own behalf, at the trial. It is highly inappropriate in this case that this fact be given any significance whatsoever, for the following reasons, which I owe it to myself and my family to bring to the Court's attention.

"I wanted to testify on my own behalf at my trial. I did not do so because my trial attorneys insisted that I should not, because (1) of the fact that the case that the prosecution had put in against me was so weak that my innocence was clearly established; and (2) that it was so clear that I had nothing to do with any atomic espionage conspiracy (as Judge Kaufman later admitted in sentencing me) that it would necessarily follow that I would be freed. Judge Frank's dissent from the affirmance of my conviction, while illustrating that my trial attorneys were motivated by reasons of substance, was nevertheless only a dissent, and hence I know I should have insisted on telling my story. I am completely innocent of the charges made against me . . ."

Was Sobell Linked to Atomic Espionage?

The prosecution branded Sobell an "atom spy" and this label was pinned on him by the newspapers. Most Americans probably have been misled into believing he was convicted of "atomic espionage." This is completely false. Judge Kaufman told Sobell in court: "The evidence in the case did not point to any activity on your part in connection with the atomic bomb project."

How Could the Jury Convict Him?

In a conspiracy charge evidence that a crime was committed is not needed to convict. Throughout American history conspiracy laws have been used when there was not enough evidence to prove an actual crime. Of the 116 witnesses listed by the prosecution, only one witness testified against Sobell with respect to espionage. But under the law of conspiracy, the testimony of all of the witnesses applied to Sobell. Thus the testimony alleging atomic espionage automatically applied to Sobell, even though as Judge Kaufman admitted, Sobell was proved to have had nothing to do with atomic espionage. Could the jury have judged Sobell's case fairly under these circumstances?

The Philadelphia Branch of the American Civil Liberties Union called Sobell's trial "a dangerous extension of the concept of conspiracy."

The trial also took place in an atmosphere of hysteria after the start of the Korean war. The prosecution devoted most of its time trying to prove Sobell was a Communist, a charge aimed to prejudice the jury against the defendant.

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Why a 30-Year Sentence?

Even if Sobell were guilty, the 30-year sentence was unprecedented for cases tried under the same act. Sentences of persons charged with espionage for a war-time enemy (and Sobell's case involved a wartime ally) averaged four to five years. In Sobell's case the judge went out of his way to recommend in advance that there be no parole. Why such severity?

In passing sentence Judge Kaufman said: "It is so difficult to make people realize that this country is engaged in a life and death struggle with a completely different system." Why did political considerations play a role in the passing of sentence?

Why Alcatraz?

Sobell was transferred to Alcatraz while motions for appeal were still pending. Alcatraz, from which prisoners cannot be paroled, is traditionally reserved for hardened criminals who have escaped from other prisons and have had long criminal records. Sobell fits neither of these categories.

Was he put in Alcatraz to pressure him into making a false confession? Ever since Sobell was arrested he has been told to "cooperate" and he would receive leniency. But Sobell swears he is innocent. Is Alcatraz being used as a third degree method, just as the electric chair was used in a vain attempt to force from the Rosenbergs a confession to a crime of which they also swore innocence?

WHAT CAN BE DONE?

Sobell's case is before the courts. One judge already has stated that Sobell should have a new trial. Judge Jerome N. Frank, dissenting in a 2-1 Circuit Court of Appeal decision, said: "The writer of this opinion disagrees. He thinks there was error, in this respect, which requires that Sobell be given a new trial."

Such a trial would afford the opportunity of presenting the new evidence that has never been reviewed by the Supreme Court. The evidence includes proof that leading prosecution witnesses perjured themselves and that the prosecution bargained for perjured testimony to get a conviction.

Millions throughout America and the world have grave doubts about the Rosenberg-Sobell case. Millions are convinced that the Rosenbergs and Sobell are innocent. They are united in a conviction that Sobell should have a new trial so that all of the facts can come to light.

Those who want a new trial include such prominent persons as Dr. Harold C. Urey, America's foremost atomic scientist, who said after studying the trial transcript: "Sobell's sentence of 30 years at Alcatraz is completely out of line with any evidence of wrong doing which the government was believed to present. In fact, I do not know what he did do."

While the case is in the courts Morton Sobell should be moved to a place where he can see his children and consult freely with his attorney. None of these things is possible in Alcatraz.

WHY IS THIS CASE VITAL TO AMERICA?

Not only the life of Morton Sobell is at stake; American justice itself is imperiled.

If a man can be imprisoned for 30 years on the word of a perjurer, if prosecuting attorneys can bargain for perjured testimony, if scientists like Sobell can be persecuted for political beliefs and associations of their youth, if political considerations can dictate the sentence in a trial, if the defendant is denied a chance to present new evidence—then the traditions of American justice and liberty are being violated.

The good name of our nation already has been stained before the eyes of the world by the execution of the Rosenbergs. Despite the opinion of three Supreme Court justices that the execution was illegal, the Rosenbergs were rushed to their death. The Rosenbergs were executed without the Supreme Court ever having reviewed the facts in the case. They died without the new evidence ever having been reviewed.

Fortunately Morton Sobell is still alive and the opportunity exists to grant him a new trial and afford him some measure of justice.

YOU CAN HELP

MAIL COUPON TODAY

Natl. Comm. to Secure Justice in the Rosenberg-Sobell Case
1058 Sixth Ave., New York 18, N. Y.

I would like to see a new trial for Morton Sobell so all of the facts can be brought to light, and I am in favor of removing him from Alcatraz pending outcome of legal appeals. Enclosed find $..... to help defray legal expenses and bring the facts in the case to the American people.

Name _____

Address _____

City _____ Zone _____ State _____

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David Greenglass, who admitted committing espionage, was sentenced to 15 years and will be eligible for parole in 1955. Max Elitcher, who admitted perjury, has never been indicted.

In other cases involving "ordinary espionage" (non-atomic) and tried under the same act under which Sobell was charged, the maximum sentence given was 10 years.

REMOVAL FROM ALCATRAZ

From the day of his arrest Morton Sobell has been under constant pressure from the Attorney General's office to "cooperate." But instead of making a false confession, Morton Sobell has persisted in efforts to win a new trial. On Thanksgiving Day, 1952, while legal moves were under way, Morton Sobell was abruptly transferred to Alcatraz penitentiary, 3,000 miles from his family and attorney.

Alcatraz was established as a maximum security prison for the isolation of repeated offenders and troublemakers who are considered a menace at regular federal prisons. For its severe restrictions Alcatraz has earned the reputation of being America's "Devil's Island." In Alcatraz, Morton Sobell is not permitted visits by his children. His wife can visit only once a month. Even then, they see each other only through a small glass panel and talk through telephones.

Recently the FBI paid three visits to Sobell in Alcatraz. The FBI agent suggested that Sobell might receive leniency if he would change his testimony and "confess" that he is guilty and that Ethel and Julius Rosenberg were guilty. Morton Sobell's answer was: "I am innocent. I will not soil my hands."

America by tradition abhors and distrusts confessions secured through "third degree" methods. Yet Morton Sobell remains in Alcatraz as a special prisoner of the Attorney General's office. He is under constant pressure to bear false witness against others as a price of his release.

FOR JUSTICE

We believe that justice can be done in this case only by Sobell's removal from Alcatraz, and by a new trial that will examine recent evidence of perjured testimony against the defendant. Supreme Court Justice Black has pointed out that the Supreme Court has never reviewed the case.

Efforts to win a new Sobell trial are continuing. Meanwhile, the voice of fair-minded Americans can end the torture of Alcatraz for Morton Sobell.

Will you join the thousands who are writing letters urging that Mr. Sobell be removed from Alcatraz to a regular federal prison?

Letters should be addressed to:

James V. Bennett, *Director of Prisons*
Justice Department
Washington, D. C.

Other facts and the full trial record are available at:
THE NATIONAL COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
1050 Sixth Avenue • New York 18, N. Y. • LO 4-9585

the FACTS in the case of MORTON SOBELL

[redacted] 67D

MORTON SOBELL is not an ordinary prisoner. There is nothing ordinary about the circumstances of his arrest . . . his trial . . . his 30-year prison sentence . . . his continued imprisonment in Alcatraz.

Mr. Sobell was a co-defendant in the same trial with Ethel and Julius Rosenberg. The charge was "conspiracy to commit espionage." Morton Sobell, like the Rosenbergs, maintained his absolute innocence from the day of his arrest.

The main conspiracy charge in the trial concerned the atomic bomb. But Trial Judge Irving Kaufman admitted to Mr. Sobell in court: "The evidence in the case did not point to any activity on your part in connection with the atomic bomb project." Yet Morton Sobell was sentenced to 30 years.

Dr. Harold C. Urey, atomic scientist and Nobel prize winner, who studied the trial transcript, stated: "Sobell's sentence of 30 years at Alcatraz is completely out of line with any evidence of wrong-doing which the government was believed to present. In fact, I do not know what he did do."

There is a widespread belief that Morton Sobell is a tragic victim of the hysteria surrounding what the *Columbia Law Review*, a distinguished law journal, has called the "outstanding 'political' trial of this generation"*

THE BACKGROUND

Morton Sobell was born and raised in the Bronx, New York. He was graduated as an electrical engineer from the City College of New York, where he was a classmate of Julius Rosenberg. He received a Master of Science degree from the University of Michigan. During World War II, he turned down an important study fellowship and chose instead to work at a job that would contribute to the

*Columbia Law Review. The Rosenberg Case: Some reflections on Criminal Law (Vol. 54, p. 219, No. 2, February, 1954).

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war effort. In 1950, Mr. Sobell was employed at the Reeves Instrument Company. He and his wife and two children lived in a modest home in Queens, N. Y.

On June 22, 1950, Mr. Sobell and his family went to Mexico as tourists. This is shown by the American airlines passenger list and by their tourist cards. In Mexico, Morton Sobell first read of the arrest of Julius Rosenberg on charges he believed to be "absurd." The arrest of his former classmate climaxed a whole series of developments which made Morton Sobell fearful that freedom was being destroyed in the United States. Mr. Sobell, who had been a vigorous supporter of Franklin D. Roosevelt's New Deal policies, was alarmed at the growing restrictions on scientists, the contempt citations, the dismissal of federal employees on "disloyalty" charges, the firing of teachers, the Smith Act trials, and other attacks on the civil liberties of anyone who dared exercise his right of dissent.

Mr. Sobell became one of many Americans abroad who considered avoiding the growing hysteria by remaining abroad. He began making inquiries about places where he and his family might go, sometimes using different names in doing so. However, Mr. Sobell and his wife talked over the matter. "We realized" he said, "that our ties to home were too strong, that we owed it to everyone to return to help combat the repressive tendencies from which we had contemplated staying away and sitting it out."

The Sobell family got the vaccinations required of tourists for re-entry into the United States and arranged for passage home.

THE KIDNAPPING

On Aug. 16, 1950, as the Sobells were having dinner in their apartment in Mexico City, their home was invaded by armed men who claimed to be Mexican police. They had no warrant, and accused Sobell of robbing a Mexican bank. They insisted he accompany them. Mr. Sobell asked to be allowed to call the American Embassy, but was dragged from his home, beaten into unconsciousness and driven away. His wife and children were also seized.

According to the New York *Times* of Aug. 18, 1950, Mexican immigration officials stated that agents of the Mexican secret police delivered Sobell directly to the FBI, without consulting their government. Sobell and his family were taken across the border to Texas. U. S. papers carried the headline: "ATOM SPY CAUGHT FLEEING IN MEXICO."

THE PROSECUTION'S CASE

One of the chief prosecutors against Mr. Sobell was Roy Cohn, who later became Senator McCarthy's right hand man and has since been thoroughly discredited. The only specific charges listed against Mr. Sobell were that he had five "conversations" with Julius Rosenberg. No reference was made to what was supposed to have been said in the conversations. At the trial itself, the conversations were never once mentioned.

During the trial, which took place during the Korean War, the prosecution claimed; that Morton Sobell was a Communist and therefore had a predisposition to espionage; that his trip to Mexico was an attempt to flee, and that he was engaged in a conspiracy to commit espionage.

COMMUNISM—As for the prosecution's claim that Mr. Sobell was a communist and therefore likely to be a spy, the Philadelphia branch of the American Civil Liberties Union commented: "It was contended that since the Communist Conspiracy included atomic espionage, Sobell was implicated in espionage. His trial and subsequent sentencing on this basis constitutes a dangerous extension of the concept of 'Conspiracy,' whereby a defendant does not have to be linked with any specific conspiracy."

D. N. Pritt, the famed British attorney, said: "In truth, in the atmosphere of the time and place of the trial, the mere accusation of membership in the Communist Party was presumably so prejudicial that, once it was made, the chances of a fair trial were greatly diminished."

TRIP TO MEXICO—When one country has criminal evidence against one of its citizens abroad, it can legally extradite that citizen. The kidnapping of Morton Sobell, which the prosecution did not deny in the trial, revealed a lack of sufficient evidence to extradite him legally. But by kidnapping Mr. Sobell, just as he was preparing to return home, the prosecution created the impression that he was a fugitive. The *Columbia Law Review* said that had the question of Sobell's kidnapping been litigated, "Sobell may have prevailed with the argument that a judgement cannot stand when jurisdiction is obtained through federal officers' violation of the anti-kidnapping law." (Vol. 54, p. 233) The Belgian League for the Rights of Man has called the kidnapping a violation of international law.

CONSPIRACY—No documentary evidence connecting Sobell to a conspiracy was ever introduced in the trial. There was only the testimony of one witness, Max Elitcher, a neighbor and former classmate of Mr. Sobell at City College. Elitcher made his accusations to the FBI against Mr. Sobell months after Elitcher was first questioned and four months after Mr. Sobell's kidnapping. In the trial Elitcher admitted that he had committed perjury in another matter and feared a perjury indictment that could bring him a five-year sentence.

In his charge to the jury, Judge Irving Kaufman said: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."

The *Columbia Law Review* stated: "As the trial progressed, it became clear that the vast bulk of testimony would concern the alleged acts of the Rosenbergs in stealing atomic information. Nevertheless, the life or freedom of the defendant Morton Sobell was also at stake, and though he was not shown to have been involved in atomic espionage, his case was undoubtedly caught up in the powerful surge of these revelations." (Vol. 54, p. 228)

Appeals Judge Jerome Frank (in a minority opinion) said that the jury should have been permitted to consider the case of Morton Sobell separately.

SOBELL'S SENTENCE

Morton Sobell, who pleaded innocent, was sentenced to 30 years by Judge Kaufman.

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"The integrity of justice as it is administered in the United States is at stake."
—Dr. Harold C. Urey

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atomic scientist

DR. HAROLD C. UREY

asks justice for

MORTON SOBELL

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The New York Times

UREY DENOUNCES ATOM SPY'S TRIAL

Charges Sobell Verdict Was "Not Justified"—He Also Defends Rosenbergs

Urey said: "If proper trials cannot be secured for unpopular people—and it is evident from the publicity of this trial that all those charged with crimes were unpopular—then it will become impossible to secure justice for other somewhat less unpopular people and so on until no justice is possible at all."

Dr. Urey spoke at a testimonial dinner given him by the Chicago Sobell committee. The Chicago group is a unit of the National Committee to Secure Justice for Morton Sobell.

Urey Hits Rosenberg, Sobell Trials

Chicago American

Integrity Of Justic At Stake, Says Ure

Harold C. Urey, Nobel Prize scientist, told a dinner

Chicago Sunday Tribune
February 13, 1955
Part 1—Page 34

SCIENTIST UREY HOLDS SOBELL UNFAIRLY TRIED

Speaks at Meeting to Raise Appeal Funds

Dr. Harold Urey, Nobel prize winning atomic scientist, said last night that the espionage trial of Julius and Ethel Rosenberg and Morton Sobell "was not in the best tradition of American justice."

JOURNAL
Atlanta, Ga.

Sobell Trial Hit by Urey

CHICAGO, Feb. 12

Text of an address by Dr. Harold C. Urey, atomic scientist and Nobel Prize winner, at a testimonial dinner given in his honor by the Chicago Sobell Committee on Feb. 12, 1955, Hotel Hamilton, Chicago, Ill.

Naturally I am pleased that so very many good people have seen fit to honor me this evening. Also, I am pleased that Mrs. Sobell should present this scroll to me and thank her for her very kind words. But in a certain way the honor is of minor importance to me, certainly very minor as compared to other things associated with the activities of this evening.

As I am sure you all know, this occasion was organized from the beginning by people who believe, with me, that the Rosenberg-Sobell trial was not in the best tradition of American justice. I hope my friends who signed this scroll understood this.

I have not been personally acquainted with either the Rosenbergs or the Sobells. I am not unmindful of the terrible tragedies that have come to their lives and am very sorry about these matters, but my concern with this trial has stemmed more from a belief that the integrity of justice, as it is administered in the U. S., is at stake. If proper trials cannot be secured for unpopular people—and it is evident from the publicity of this trial that all those charged with crimes were unpopular—then it will become impossible to secure justice for other somewhat less unpopular people and so on until no justice is possible at all.

The power of our government is very great and it can afford to be just because of that great power. But there is an illness in this country since the war from which we will surely recover in time. This illness arises from a sense of insecurity and this sense of insecurity is due to the loss of our natural security barriers, namely: the Atlantic and Pacific Oceans. Our danger from foreign foes is now greater than it has ever been before in our history. This danger comes from the long range effectiveness of the aeroplane, as a carrier of powerful military weapons and to the existence in the world of a powerful revolutionary country, whose rulers do not accept the fundamental concepts of our way of life. There is a life and death struggle going on between these ways of life and I am convinced that each group is really determined to eventually destroy the other. I am in favor, as we all are, of the preservation of our way of life and I am sure that we will win in the long run and hope that the war stays cold.

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This concern with our basic security as a country has led many people, often in high places, to look for a scape goat, that is, an easy way to solve our difficulties. That scape goat has been spies, espionage agents, subversives in government. I do not condone such agents, but if all communists and all communist sympathizers should quietly die, the fundamental insecurity of this country would be the same as it is now. This very well justified concern for our security in a modern, dangerous world has led us to do things which will undermine our way of life, our form of government, our freedoms. This is my primary concern in this matter. I welcome this dinner and this scroll as a means of fighting one angle of hysteria, one bad case of injustice, as I view it.

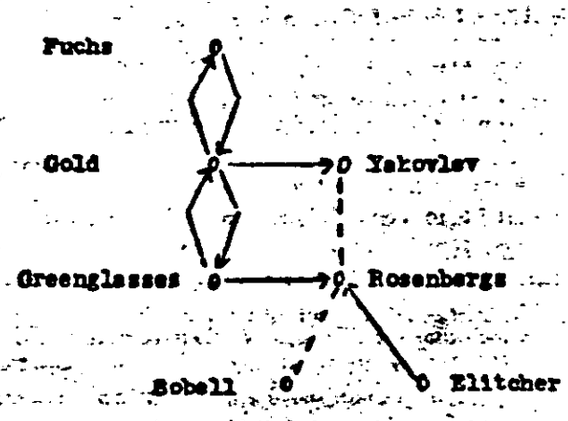
There are many things of this kind, such as: the Oppenheimer hearings, Condon's clearance problems, the Lattimore case, passport problems, visa problems, etc. If I do not do anything about some of these things it is because of lack of energy to do so or because many other people have protested them. Perhaps the most disturbing feature of many of these procedures is the increased use of the professional informer by the Department of Justice and Congressional Committees. Recently one of these informers, Mr. Matusow, has stated that he has given false testimony and has accused Mr. Roy M. Cohn of complicity, which Mr. Cohn has denied. This specific accusation reminds one that Mr. Cohn was assistant prosecuting attorney in the Rosenberg-Sobell case. However, I warn you all that, in my opinion, communists, reformed communists and reformed reformed communists are not particularly reliable. I do not believe that they are reliable when they accuse Mr. Cohn nor when they accuse Mr. Lattimore nor when they accuse Mr. Sobell. Yet I am of the opinion, after study of the record, that Mr. Cohn's side of this story is incorrect and that Mr. Sobell was not properly tried and that the verdict and sentence were not justified.

One cannot separate the discussion of Mr. Sobell from a consideration of the Rosenberg case. In fact, one finds it difficult to understand what the evidence was against Mr. Sobell—for it was certainly far less important than that against the Rosenbergs. In fact, the great concern about the latter generally obscured the interests of Sobell. I wish to give you a brief outline of the case for I am sure many of you are not acquainted with the case and its general structure. Being a scientist, I have made a diagram of the case which enables me to understand the relationships.

The alleged conspiracy is represented by the diagram (Fig. 1). In this diagram an arrow pointing from individual A to individual B means that A testified that he had contact on espionage matters with B. No such arrow means that the individual denies such contact or there is no testimony. A broken line means assumed contact but no evidence or only indirect evidence. Gold admitted that he gave information to Yakovlev, but Yakovlev escaped from the U. S. and was not apprehended. Gold and Fuchs both admit contact. The Greenglasses admit that they gave information to Gold and that they received $500 from Gold which he said he received from Yakovlev. The money was accounted for in the Greenglass' bank account. They agreed that they matched the pieces of the gelatin box top. Gold said he received his half from Yakovlev. The Greenglass portion was in Mrs. Greenglass' hand bag. They say that they received this from Rosenberg and that the division of the gelatin box top occurred in the Rosenberg apartment. The guilt of the Greenglasses and Gold was agreed to by all three. The Rosenbergs denied dividing the gelatin box lid or giving it to the Greenglasses.

The Greenglasses say that they gave information to the Rosenbergs and that they were recruited into espionage by the Rosenbergs. The Rosenbergs denied this, and denied that they had anything to do with espionage of any kind. They maintained that their contacts were the normal relations of in-laws. (Mrs. Rosenberg was David Greenglass' sister). Elitcher and Sobell were college acquaintances of Rosenberg. Elitcher testified that he and Rosenberg discussed espionage several times, although he maintained that he and Rosenberg never

FIGURE 1



gave each other any secret information. Elitcher had been a communist; he had sworn in connection with his employment on war work that was not, and thus had committed perjury. He testified that this was so and that he hoped for clemency as he testified against Rosenberg. He has not been indicted. Elitcher testified that he drove from Washington to the home of Sobell in 1948 and that he thought he was being followed by F.B.I. agents. He says that when he reached Sobell's home, Sobell was much disturbed by his arrival with F.B.I. agents on his trail, and that thereupon the two took a can, presumably containing photographic film, to the neighborhood of Rosenberg's home. Elitcher said that he waited in the car while Sobell delivered it. This is the only evidence of an overt act on the part of Sobell introduced at the trial. Sobell did not take the stand in his own defense. Hence a broken line in the diagram.

The Rosenbergs denied all espionage contacts with Elitcher and Sobell.

No evidence was introduced to prove contact between Yakovlev and the Rosenbergs. Gold's testimony established no contact between him and the Rosenbergs. Greenglass testified that Rosenberg tried to get him to go to college to study atomic physics in order to be more valuable as an espionage agent, and the Government inferred that Julius Rosenberg was the center of an important spy ring. No evidence, beyond that mentioned above, was introduced in support of this.

The Rosenbergs denied all accusations but refused to answer questions relative to membership in the Communist Party. They did admit to a very leftish political point of view. They never, at any time, admitted any traitorous act. Many people with whom I have discussed this case do not know this, and I, therefore, emphasize it. Had they made any such admission, I would have never spoken one word in regard to the case.

In general, it is easy to deny accusations, but it is difficult to make false accusations without inconsistencies appearing in the testimony, and for this reason it is important to consider the details of the testimony against the Rosenbergs in order to judge its reliability, and it is important to consider motives and opportunity for wrongly accusing the Rosenbergs. Also, if one assumes that the evidence against the Rosenbergs was perjured, it is necessary to be able to account for the essential facts by some other set of contacts. I believe that the essential evidence for the conviction of the Rosenbergs was that given by David and Ruth Greenglass, that their testimony contains unbelievable statements, that the plausibilities of certain details of their testimony can be explained, that they had powerful motives for involving the Rosenbergs unjustly, and, finally, that all the facts of the atomic espionage can be accounted for without the involvement of the Rosenbergs at all.

Elitcher testified to several conversations with Sobell in which espionage was discussed, but that no information ever passed between them. Do espionage agents constantly discuss their activities with old college friends without getting any information? This seems most improbable. The tale that Elitcher, who had never engaged in espionage, told of accompanying Sobell on an espionage errand when he believed F.B.I. agents were following him seems to me to be completely fantastic. Why choose to do this right under the eyes of the F.B.I.?

The bitterness that the case has aroused and the sentence imposed on the Rosenbergs and on Sobell was justified by Judge Kaufman on the basis of atomic espionage and yet no evidence was given connecting Sobell with this activity at all. In fact, no evidence was given except that relating to the transfer of a can containing 35 mm. film, and that by a confessed perjurer hoping for leniency.

Sobell was convicted and sentenced on the basis that he was part of a conspiracy and hence was guilty of many things which he personally did not do. Judge Jerome Frank stated that he should have been tried on a separate conspiracy. Judge Kaufman stated to the jury that they could not find Sobell guilty unless they believed Elitcher. I find Elitcher's testimony very doubtful —in fact, I find it most unconvincing. We should note that no court passed on the credibility of the testimony of any witness, due to the fact that higher Federal Courts do not review this question. The Supreme Court of the U.S. has refused to accept jurisdiction and this does not constitute a review of the case.

However, to return to the general case, we need to recognize that some espionage was performed. Fig. 2 shows an alternative diagram of the case. This differs from the first case only in the shifting of the arrow from the Greenglasses to the Rosenbergs to an arrow from the Greenglasses to Yakovlev. A contact to another agent of the U.S.S.R. would serve as well.

If the Greenglasses had direct contact with Yakovlev or other Russian agents all the requirements of the other testimony are met. A gelatin box lid was divided. Gold presented one half at Albuquerque which he said

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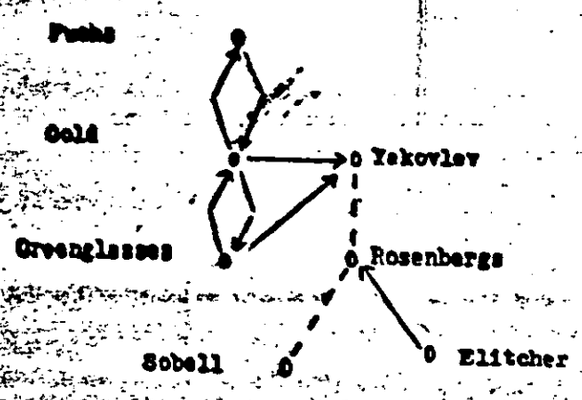
he got from Yakovlev. The Greenglasses had the other half which they said they received from Rosenberg. On this basis Rosenberg gave the other half to Yakovlev and he in turn gave it to Gold. But, suppose Yakovlev divided the lid and gave one half to Gold and the other to Greenglass or to Mrs. Greenglass. In this case Rosenberg was unnecessary. Also, the Greenglasses can tell a very realistic tale of the division by substituting the Rosenbergs for Yakovlev. In fact, the inclusion of the Rosenbergs in the conspiracy makes no sense at all. They are unnecessary unless Julius was, indeed, the head of a big espionage ring, and the proof of the existence of that ring is non-existent up to the present time. If only the Rosenbergs had confessed! But we are reasoning in circles. The Rosenbergs were unnecessary to the plot and would have been only another point where the entire espionage effort could have been discovered.

If Yakovlev, or another Russian, could contact the Rosenbergs, why could he not contact the Greenglasses, and then why pass $500 through the Rosenbergs' hands instead of giving it to the Greenglasses directly? Would you confess to being the head of a non-existent spy ring and let your children live under that stigma, or would you go to the electric chair maintaining your innocence? The letters of the Rosenbergs written to each other in Sing Sing prison give their answer to exactly this question.

Note where this diagram leaves the Rosenbergs and Sobell. Both are completely out of the atomic espionage ring and now we ask what did they do? Even the confessed perjurer's testimony, except for the one overt act,

FIGURE 2



only states that they talked espionage without ever doing any. Well, one should not talk espionage and if they had been given five years at Lewisburg, we might think justice had been done—that is, if you believe the testimony. I do not believe the testimony.

On such a basis, two people have been executed and one is in prison for 30 years on Alcatraz. And where are the surely guilty ones? One, David Greenglass, is in Lewisburg for 15 years. Two others, Ruth Greenglass and Max Elitcher, have never been indicted and tried.

Would it not be a wonderful trick for the communists if they could get innocent people sent to the electric chair and imprisoned for 30 years and get guilty ones set free or given moderate sentences? This is exactly what I think has occurred. This is one point to which the current hysteria has carried us.

MOTIVES

Elitcher had committed perjury and at the time of his testimony had not been indicted, tried and sentenced. He has not been so indicted or tried since. Had he been sentenced, no matter to what term, at the time of his testimony he would still have been anything but a reliable witness. I do not trust communists nor ex-communists nor perjurers, and I am sure that this view is shared by many others. But when pressure is put on such people, I trust them to do whatever they think necessary to get themselves out of their difficulties, especially when wives and children are involved. Surely Elitcher was tempted to give the testimony that the government wished to have.

The Greenglasses have admitted to a crime for which the maximum penalty is death. It is a custom in the United States to give consideration in sentencing a criminal to the degree of co-operation which he has given to the law enforcement authorities during the preparation and prosecution of the case. I suppose that criminals are advised of this situation by their attorneys or in other ways. At the time of the trial, David Greenglass had been indicted and was on trial but had not been sentenced, and the sentence could have been death. Ruth Greenglass has never been indicted and she was not a defendant in the trial. David Greenglass was given a 15 year prison sentence. It seems to me that the hope of lenient treatment must have constitued a motive for co-operation with the prosecution.

But "cooperation" is not synonymous with perjury and accusation against innocent people. Or is it? Does it

not depend on what the facts are? If the Greenglasses' contact was Yakovlev and not the Rosenbergs (see Fig. 2), the revelation of this fact would have given the government nothing since Yakovlev was in Russia. What takes place in a criminal's mind when he is trapped and the electric chair appears in his dreams? I do not know, but it seems likely to me that both the Greenglasses would have confidently expected 30 year prison terms if they had admitted that their contact was with Yakovlev or some other agent of the U.S.S.R.

People ask why the prosecuting attorney and the F.B.I. and the judge should wish to see two insignificant people put to death unjustly. After considerable conversation with lawyers on this subject, including one who worked on the government side of the case, I conclude that lawyers are more interested in the law than in justice. Mostly they are interested in whether all the legal machinery functions according to all the rules, and are not in the least interested in the argument presented in this paper. There are exceptions, of course, as for example Professor Stephen Love and Professor Sharp, who helped the defense during the last weeks of the case without remuneration once he believed that a serious miscarriage of justice had occurred. However, it is my belief that the prosecution believed the Rosenbergs guilty. Once having believed the Greenglass account and having based the prosecution on this it would be difficult to adopt another point of view later. In fact, people do not allow themselves to be convinced that they have made such a horrible mistake as I believe has occurred. Once the government adopted this theory of the case, all concerned with it were trapped and were forced to continue to believe it.

CONCLUSION

I cannot review in a talk of this kind all the details of this case. This is better done by lawyers anyway. I commend to you Professor Love's statement on the case and Professor Sharp's book on the subject. But also a word in my own defense in presuming to say anything about the case. We have public trials in this country. The purpose of this surely is not to provide a Roman holiday, a substitute for a gladiatorial combat; but this is done so that each of us can judge the conduct of the trial. This means that you and I have the right to criticize the court, the jury, the prosecution, the defense, everything about it. In criticizing this case, I am exercising certain rights that were mine at birth and I wish to keep them until death. We all of us have the right to form an opinion in regard to these matters and mine is adverse in regard to this case.

I also wish to make a statement in regard to a remark that has come to me from a number of scientists. They say essentially, "Well, if you only knew what I know," or rather mostly, "If you only knew what someone I know knows about the case!" The inference always is that much secret information exists that proves everything but for security reasons, it cannot be made public. My answer to that is that I do not believe this inference and do not believe people should be executed and imprisoned on secret evidence. I have discussed this question with a man, who saw some of the secret data at least. He says that Greenglass' paper looked to be genuine and that it contained valuable information. I have accepted this as fact, but does a paper tell you to whom the paper was given? My reply to these insinuations has been just as I have said above. There has been no answer to them. Before I accept these statements they must be told publicly so that we all can judge them.

I have been interested in this case and shall be interested in other similar cases because of my concern for the integrity of justice in this country. It is better to review a case in which we believe injustice has been done than to wait for the next one, when further injustice may occur. Will you not all try to do something about this series of doubtful trials or quasi judicial procedures that threaten our security as individuals living in a great free country.

I thank you all again for this dinner and scroll.

1B690

Helen Sobell, wife of Morton Sobell, presents Dr. Urey with a bound volume of some 6,000 scrolls signed by prominent persons throughout the world honoring Dr. Urey for his achievements as a scientist and contributions as a citizen.

1B690

Dear Friend,

With the publishing of John Wexley's book, The Judgment of Julius and Ethel Rosenberg, new hope is given to those who are working for the vindication of the Rosenbergs—and Morton Sobell. Many Rosenberg-Sobell committees have just come into being—among them Sausalito, Petaluma, and Oakland. We in Oakland are fortunate in being able to draw upon the resources of the San Francisco's trained corps of well informed workshop leaders. These are professional people—among them lawyers, psychologists and committee members who have agreed to hold three workshop meetings in Oakland.

We invite you to attend these meetings listed below and to bring your friends and your questions.

TIME	PLACE	SUBJECT
Sun. 8:30 P.M. Mon. Aug. 21st	5708 Laguna Ave. Oakland	(a) Social, economic & historical analysis of the climate which led to the indictment and conviction of the Rosenbergs & Sobell in 1952. (b) Legal aspects of the case.
Sun. 8:30 P.M. Mon. Aug. 28th	(to be arranged)	(c) The present climate as it affects the case and hopes for a new trial and transfer of Morton Sobell from Alcatraz.
Sun. 8:30 P.M. Mon. Aug. 29th	(to be arranged)	

Lectures written by Dr. Harold C. Urey and Professor of Law, Stephen Law, will be available and copies of Wexley's book will be on hand for your perusal. Most of all, your questions will be answered.

For further information on the second and third meetings, call KE. 4-8019.

Sincerely,

Marjorie Rubinstein,
Chairman Pro Tem.
Oakland Morton Sobell Committee

Hope you can come!

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SUBPOENA

In The Name of

FREE MORTON SOBELL

100-107111-18692

the FACTS in the case of MORTON SOBELL

MORTON SOBELL is not an ordinary prisoner. There is nothing ordinary about the circumstances of his arrest, his trial or his 30-year prison sentence. He is continued imprisonment in Alcatraz.

Mr. Sobell was a co-defendant in the same trial with Ethel and Julius Rosenberg. The charge was conspiracy to commit espionage. Morton Sobell, like the Rosenbergs, maintained his absolute innocence from the day of his arrest.

The main conspiracy charge in the trial concerned the atomic bomb. But Trial Judge Irving Kaufman admitted to Mr. Sobell in court: "The evidence in the case did not point to any activity on your part in connection with the atomic bomb project." Yet Morton Sobell was sentenced to 30 years.

Dr. Harold C. Urey, atomic scientist and Nobel prize winner, who studied the trial transcript, stated: "Sobell's sentence of 30 years at Alcatraz is completely out of line with any evidence of wrong-doing which the government was believed to present. In fact, I do not know what he did."

There is a widespread belief that Morton Sobell is a tragic victim of the hysteria surrounding what the Columbia *Law Review*, a distinguished law journal, has called the "outstanding political trial of this generation."*

THE BACKGROUND

Morton Sobell was born and raised in the Bronx, New York. He was graduated as an electrical engineer from the City College of New York, where he was a classmate of Julius Rosenberg. He received a Master of Science degree from the University of Michigan. During World War II, he turned down an important Study Fellowship and chose instead to work at a job that would contribute to the

*Columbia Law Review, The Rosenberg Case: Some reflections on Criminal Law (Vol. 54, P. 219, No. 2, February, 1954)

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war effort. In 1950, Mr. Sobell was employed at the Reeves Instrument Company. He and his wife and two children lived in a modest home in Queens, N. Y.

On June 22, 1950, Mr. Sobell and his family went to Mexico as tourists. This is shown by the American airlines passenger list and by their tourist cards. In Mexico, Morton Sobell first read of the arrest of Julius Rosenberg on charges he believed to be "absurd." The arrest of his former classmate climaxed a whole series of developments which made Morton Sobell fearful that freedom was being destroyed in the United States. Mr. Sobell, who had been a vigorous supporter of Franklin D. Roosevelt's New Deal policies, was alarmed at the growing restrictions on scientists, the contempt citations, the dismissal of federal employees on "disloyalty" charges, the firing of teachers, the Smith Act trials, and other attacks on the civil liberties of anyone who dared exercise his right of dissent.

Mr. Sobell became one of many Americans abroad who considered avoiding the growing hysteria by remaining abroad. He began making inquiries about places where he and his family might go, sometimes using different names in doing so. However, Mr. Sobell and his wife talked over the matter. "We realized," he said, "that our ties to home were too strong, that we owed it to everyone to return to help combat the repressive tendencies from which we had contemplated staying away and sitting it out."

The Sobell family got the vaccinations required of tourists for re-entry into the United States and arranged for passage home.

THE KIDNAPPING

On Aug. 16, 1950, as the Sobells were having dinner in their apartment in Mexico City, their home was invaded by armed men who claimed to be Mexican police. They had no warrant, and accused Sobell of robbing a Mexican bank. They insisted he accompany them. Mr. Sobell asked to be allowed to call the American Embassy, but was dragged from his home, beaten into unconsciousness and driven away. His wife and children were also seized.

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THE PROSECUTION'S CASE

One of the chief prosecutors against Mr. Sobell was Roy Cohn, who later became Senator McCarthy's right hand man and has since been thoroughly discredited. The only specific charges listed against Mr. Sobell were that he had five "conversations" with Julius Rosenberg. No reference was made to what was supposed to have been said in the conversations. At the trial itself, the conversations were never once mentioned.

During the trial, which took place during the Korean War, the prosecution claimed that Morton Sobell was a Communist and therefore had a predisposition

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to espionage; that his trip to Mexico was an attempt to flee; and that he was engaged in a conspiracy to commit espionage.

COMMUNISM — As for the prosecution's claim that Mr. Sobell was a communist and therefore likely to be a spy, the Philadelphia Branch of the American Civil Liberties Union commented: "It was contended that since the Communist Conspiracy included atomic espionage, Sobell was implicated in espionage. His trial and subsequent sentencing on this basis constitutes a dangerous extension of the concept of conspiracy, whereby a defendant does not have to be linked with any specific conspiracy."

D. N. Pritt, the famed British attorney, said: "In truth, in the atmosphere of the time and place of the trial, the mere accusation of membership in the Communist Party was presumably so prejudicial that once it was made the chances of a fair trial were greatly diminished."

TRIP TO MEXICO — When one country has criminal evidence against some of its citizens abroad, it can legally extradite that citizen. The kidnapping of Morton Sobell — which the prosecution did not deny in the trial — revealed a lack of sufficient evidence to extradite him legally. But by kidnapping Mr. Sobell just as he was preparing to return home, the prosecution created the impression that he was a fugitive. The *Columbia Law Review* said that had the question of Sobell's kidnapping been litigated, Sobell may have prevailed with the argument that a judgement cannot stand when jurisdiction is obtained through federal officers' violation of the anti-kidnapping law. (Vol. 54, p. 233) The Belgian League for the Rights of Man has called the kidnapping a violation of international law.

CONSPIRACY — No documentary evidence connecting Sobell to a conspiracy was ever introduced in the trial. There was only the testimony of one witness, Max Elitcher, a neighbor and former classmate of Mr. Sobell at City College. Elitcher made his statements to the FBI against Mr. Sobell months after Elitcher was first questioned and four months after Mr. Sobell's kidnapping. In the trial Elitcher admitted that he had committed perjury in another matter and feared a perjury indictment that could bring him a five-year sentence.

In his charge to the jury, Judge Irving Kaufman said: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."

The *Columbia Law Review* stated: "As the trial progressed, it became clear that the great bulk of testimony would concern the alleged acts of the Rosenbergs in stealing atomic information. Nevertheless, the life for freedom of the defendant Morton Sobell was also at stake, and though he was not shown to have been involved in atomic espionage, this case was undoubtedly caught up in the powerful surge of these revelations." (Vol. 54, p. 228)

Appeals Judge Jerome Frank (in a minority opinion) said that the jury should have been permitted to consider the case of Morton Sobell separately.

SOBELL'S SENTENCE

Morton Sobell, who pleaded innocent, was sentenced to 30 years by Judge Kaufman.

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David Greenglass, who admitted committing sentenage, was sentenced to 15 years and will be eligible for parole in 1955. Max Elitcher, who admitted perjury, has never been indicted.

In other cases involving "ordinary espionage" (non-atomic) and tried under the same act under which Sobell was charged, the maximum sentence given was 10 years.

REMOVAL FROM ALCATRAZ

From the day of his arrest Morton Sobell has been under constant pressure from the Attorney General's office to "cooperate." But instead of making a false confession, Morton Sobell has persisted in efforts to win a new trial. On Thanksgiving Day, 1952, while legal moves were underway, Morton Sobell was abruptly transferred to Alcatraz penitentiary, 3,000 miles from his family and attorney.

Alcatraz was established as a maximum security prison for the isolation of repeated offenders and troublemakers who are considered a menace at regular federal prisons. For its severe restrictions Alcatraz has earned the reputation of being America's "Devil's Island." In Alcatraz, Morton Sobell is not permitted visits by his children. His wife can visit only once a month. Even then, they see each other only through a small glass panel and talk through telephones.

America by tradition abhors and distrusts confessions secured through "third degree" methods. Yet Morton Sobell remains in Alcatraz as a special prisoner of the Attorney General's office. He is under constant pressure to bear false witness against others as a price of his release.

FOR JUSTICE

We believe that justice can be done in this case only by Sobell's removal from Alcatraz, and by a new trial that will examine recent evidence of perjured testimony against the defendant. Supreme Court Justice Black has pointed out that the Supreme Court has never reviewed the case.

Efforts to win a new Sobell trial are continuing. Meanwhile, the voice of fair-minded Americans can end the torture of Alcatraz for Morton Sobell.

Will you join the thousands who are writing letters urging that Mr. Sobell be removed from Alcatraz to a regular federal prison?

Letters should be addressed to:

James V. Bennett, Director of Prisons
Justice Department
Washington, D. C.

Other facts and the full trial record are available at:

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Dear Librarian:

Here is some material describing a fabulous book that is certain to be of particular interest to all students of Anglo-American jurisprudence and anyone who wonders why the arch-criminals of the atomic era have all been college graduates.

The Atom Spy Hoax by William A. Reuben is the first book to examine the basic premise of the Cold War: the impression created in the public mind that the "secret" of the atom bomb was stolen by Russia as a result of a vast espionage set-up in the West.

This 504-page book, containing an account of every case supposedly relating to Russia's attempt to steal secrets from her former allies, is the first comprehensive critical examination of all the famous "spy" cases of the first decade of the atomic era.

Starting with the cases of 13 Canadians arrested on February 15, 1946, allegedly as part of an atom bomb spy ring, *The Atom Spy Hoax* covers every "atom spy" case from that time on, including the case which touched off world-wide protests, the first "atom spy" trial in world history, that of Ethel and Julius Rosenberg and Morton Sobell.

Against a backdrop of momentous world events, forces and policies, Mr. Reuben's dramatic story throws into sharp relief and gives new meaning to these cases as well as those of Alger Hiss, Judith Coplon, William Remington, Klaus Fuchs, Harry Gold, David Greenglass, Allan Nunn May and Alfred Dean Slack.

In today's political climate, as there is an easing up of East-West tensions, intelligent men and women have a greater need than ever before for a source that will enable them to distinguish between newspaper headlines and courtroom evidence. In *The Atom Spy Hoax*, authored by the former publicity director of the American Civil Liberties Union, the reader will find facts that heretofore have been reported nowhere else, and which are essential for coming to grips with the main problem of the day: co-existence.

The enclosures may help you understand why a London reviewer said that for writing this book William A. Reuben would be ranked by historians in a class with Lincoln Steffens, John Reed and Mark Twain—and why, in the public interest, we urge you to order this book today.

Yours sincerely,

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Discounts are as follows: 1-4 copies 33⅓% off; 5 copies and over, 40% off; 1 book free for every ten ordered.

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William A. Reuben

As a journalist, William A. Reuben is responsible for setting off the world-wide controversies that have attended two of the most famous cases of modern times. His analysis of the Rosenberg-Sobell trial, which appeared in a series of articles in the *National Guardian* in the Summer and Fall of 1951 and which was later reprinted and translated all over the world, initiated the greatest protest movement in history. Similarly, in 1948, a series of articles by Mr. Reuben in the *National Guardian* and *Reynolds News* of England brought the Trenton Six case to the world's attention. These articles, and his coverage of the case in these publications and for *The Daily Compass*, led to world-wide protests, and to the ultimate vindication of the six Negro defendants, all of whom had once been condemned to death.

The former publicity director of the American Civil Liberties Union, Mr. Reuben ever since World War II has written for national publications here and abroad on civil liberties matters. During World War II, Mr. Reuben was the editor of a history of the Army's education program in the European theater, after having previously been wounded three times as an infantry lieutenant in combat with the 45th Infantry Division. A graduate of Columbia University, prior to World War II he was a staff member of *Scribner's*, *House & Garden* and *Vogue* magazines.

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by William A. Reuben

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Three years in the making, this 504-page book seeks an explanation for the fact that, save for confessional evidence, not one jot of proof has ever been produced showing that such a crime as atomic espionage has ever occurred (or is even possible); or that, of the "confessions" of the "atom spies," none has ever been corroborated in any way whatsoever.

What the critics say:

● "Thorough, systematic and competent . . . this volume is a comprehensive and at points quite detailed analysis of the 'atom-spy' cases and trials that have occurred in Canada, England, and the United States. . . . Reuben's thesis is that these atomic cases were manufactured consequences of the cold war and were used to support it, and were not themselves causes of the cold war. In short, his conclusion is that the whole atomic-spy business was a hoax. . . . Reuben's persistent and penetrating probing of the spy trials . . . merits sober consideration. . . . The purpose of this review is to bring Mr. Reuben's book to the attention of thoughtful and sensitive members of the community in the belief that the cause of justice and our political well-being will be better served if his contentions are discussed and evaluated."

—BERNARD M. LOOMER, *The Nation*

● "William A. Reuben's name should rank with Mark Twain, John Reed, Lincoln Steffens and a very few more who have told the truth when it was more fashionable to tell lies. That is where it will rank when the histories come to be written. . . . *The Atom Spy Hoax* is a fascinating and very frightening book . . . a picture of well-nigh an entire nation bamboozled in the interest of arms manufacturers and corrupt politicians . . . it is one of the most important books of our time."

—DEREK KARTUN, London *Daily Worker*

● "The witch-hunt and anti-Red hysteria which followed the first world war convinced H. L. Mencken that 'the administration of justice in the Republic is stupid, dishonest, and against all reason and equity.' In *The Atom Spy Hoax*, William A. Reuben brings to light fresh evidence which indicates that the aftermath of World War II has been, if anything, worse. His story is sensational."

—York *Gazette and Daily*

● Excitingly written . . . *The Atom Spy Hoax* is a penetrating book . . . a pioneer . . . contribution in the fight for peace. It is a powerful vindication of Ethel and Julius Rosenberg and it will help those champions of justice who are seeking to win freedom for Morton Sobell. . . . This book is an important contribution to exposing one of the great lies of our times."

—*Canadian Tribune*

● "Mr. Reuben's astounding book is the first of that debunking literature which is bound to arise as the American nation struggles to shake off the delusions which the Cold War planners foisted on the United States. . . . He proves that the 'atom spy ring' was a hoax dictated by the heads of the Cold War strategy. His proof should play an enormous part in restoring our country to sanity, reason and a sense of justice . . . this is one of the great pages in American journalistic-historical writing. I am convinced that if it could be made available . . . to our schools, universities and trade unions membership, it would jolt the nation the way the Dreyfus revelations jolted France."

—MILTON HOWARD, *Masses & Mainstream*

● "Page after page of documentation . . . a mountainful of evidence which indicates that much of the furor over 'atom spying' has seemingly been fabricated; that people against whom apparently irreproachable evidence had been tendered were in fact unjustly incarcerated, shamefully smeared by the press, and in two instances, wrongfully sent to their deaths. . . . Certainly this book . . . should give impetus to a re-evaluation of the spy cases. . . . Considering the very careful documentation, Reuben's book sheds what can be called a new and revealing light on a subject whose depths have been kept in shadow."

—*The Dartmouth*, oldest college newspaper in the U.S.

● "William Reuben has rendered a valuable service to millions of Americans. . . . For it is to the record itself that he returns time and time again, with powerful, shattering effect, to demonstrate the lies, the naked frame-up of the atom spy hoax."

—ROBERT FRIEDMAN, *Daily Worker*

● "It took guts, daring and skill to put together a book like this. Manifestly, the author of this striking work has all of these traits in abundance. He also has the facts. . . . The book is a powerful weapon that can prove a deadly mace to hurl against all liars."

—CHARLES R. ALLEN, JR., *Jewish Life*

● "*The Atom Spy Hoax* is by long odds the most challenging (and most fact-crammed) arraignment of fraud and frame-up by our government and its allies to come between two covers since the Cold War began . . . reads like a well-constructed whodunit."

—JOHN T. MCMANUS, *National Guardian*

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the FACTS in the case of MORTON SOBELL

MORTON SOBELL is not an ordinary prisoner. There is nothing ordinary about the circumstances of his arrest . . . his trial . . . his 30-year prison sentence . . . his continued imprisonment in Alcatraz.

Mr. Sobell was a co-defendant in the same trial with Ethel and Julius Rosenberg. The charge was "conspiracy to commit espionage." Morton Sobell, like the Rosenbergs, maintained his absolute innocence from the day of his arrest.

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*Columbia Law Review. The Rosenberg Case: Some reflections on Criminal Law (Vol. 54, p. 219, No. 2, February, 1954)

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war effort. In 1950, Mr. Sobell was employed at the Reeves Instrument Company. He and his wife and two children lived in a modest home in Queens, N. Y.

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TRIP TO MEXICO—When one country has criminal evidence against one of its citizens abroad, it can legally extradite that citizen. The kidnapping of Morton Sobell, which the prosecution did not deny in the trial, revealed a lack of sufficient evidence to extradite him legally. But by kidnapping Mr. Sobell, just as he was preparing to return home, the prosecution created the impression that he was a fugitive. The *Columbia Law Review* said that had the question of Sobell's kidnapping been litigated, "Sobell may have prevailed with the argument that a judgement cannot stand when jurisdiction is obtained through federal officers' violation of the anti-kidnapping law." (Vol. 54, p. 233) The Belgian League for the Rights of Man has called the kidnapping a violation of international law.

CONSPIRACY—No documentary evidence connecting Sobell to a conspiracy was ever introduced in the trial. There was only the testimony of one witness, Max Elitcher, a neighbor and former classmate of Mr. Sobell at City College. Elitcher made his accusations to the FBI against Mr. Sobell months after Elitcher was first questioned and four months after Mr. Sobell's kidnapping. In the trial Elitcher admitted that he had committed perjury in another matter and feared a perjury indictment that could bring him a five-year sentence.

In his charge to the jury, Judge Irving Kaufman said: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."

The *Columbia Law Review* stated: "As the trial progressed, it became clear that the vast bulk of testimony would concern the alleged acts of the Rosenbergs in stealing atomic information. Nevertheless, the life or freedom of the defendant Morton Sobell was also at stake, and though he was not shown to have been involved in atomic espionage, his case was undoubtedly caught up in the powerful surge of these revelations." (Vol. 54, p. 228)

Appeals Judge Jerome Frank (in a minority opinion) said that the jury should have been permitted to consider the case of Morton Sobell separately.

SOBELL'S SENTENCE

Morton Sobell, who pleaded innocent, was sentenced to 30 years by Judge Kaufman.

David Greenglass, who admitted committing espionage, was sentenced to 15 years and will be eligible for parole in 1955. Max Elitcher, who admitted perjury, has never been indicted.

In other cases involving "ordinary espionage" (non-atomic) and tried under the same act under which Sobell was charged, the maximum sentence given was 10 years.

REMOVAL FROM ALCATRAZ

From the day of his arrest Morton Sobell has been under constant pressure from the Attorney General's office to "cooperate." But instead of making a false confession, Morton Sobell has persisted in efforts to win a new trial. On Thanksgiving Day, 1952, while legal moves were under way, Morton Sobell was abruptly transferred to Alcatraz penitentiary, 3,000 miles from his family and attorney.

Alcatraz was established as a maximum security prison for the isolation of repeated offenders and troublemakers who are considered a menace at regular federal prisons. For its severe restrictions Alcatraz has earned the reputation of being America's "Devil's Island." In Alcatraz, Morton Sobell is not permitted visits by his children. His wife can visit only once a month. Even then, they see each other only through a small glass panel and talk through telephones.

Recently the FBI paid three visits to Sobell in Alcatraz. The FBI agent suggested that Sobell might receive leniency if he would change his testimony and "confess" that he is guilty and that Ethel and Julius Rosenberg were guilty. Morton Sobell's answer was: "I am innocent. I will not soil my hands."

America by tradition abhors and distrusts confessions secured through "third degree" methods. Yet Morton Sobell remains in Alcatraz as a special prisoner of the Attorney General's office. He is under constant pressure to bear false witness against others as a price of his release.

FOR JUSTICE

We believe that justice can be done in this case only by Sobell's removal from Alcatraz, and by a new trial that will examine recent evidence of perjured testimony against the defendant. Supreme Court Justice Black has pointed out that the Supreme Court has never reviewed the case.

Efforts to win a new Sobell trial are continuing. Meanwhile, the voice of fair-minded Americans can end the torture of Alcatraz for Morton Sobell.

Will you join the thousands who are writing letters urging that Mr. Sobell be removed from Alcatraz to a regular federal prison?

Letters should be addressed to:

James V. Bennett, *Director of Prisons*
Justice Department
Washington, D. C.

Other facts and the full trial record are available at:

THE NATIONAL COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
1050 Sixth Avenue • New York 18, N. Y. • LO 4-9555

18695

Dear Friends:

This is an urgent appeal. Morton Sobell is in his sixth year in prison. Thanksgiving Day will mark the completion of three years in Alcatraz.

On November 25th, the Federal Board of Classification will meet in Alcatraz Prison. It has the power to recommend the transfer of Morton Sobell to another institution.

Now that legal action for the release of Morton Sobell is starting, he should be transferred to a prison where he is nearer to his family and to his attorney. Sobell is not a hardened criminal; there is no justification for his imprisonment in a maximum security, minimum privilege institution like Alcatraz.

In the name of humanity and justice ask that Morton Sobell be transferred from Alcatraz.

Write to

Federal Board of Classification
Alcatraz Prison
Alcatraz, California.

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"THE INTEGRITY OF UNITED STATES JUSTICE IS AT STAKE"

DR. HAROLD C. UREY

Atomic scientist, Nobel prize winner

HEAR SEE

MRS. ROSE SOBELL

MOTHER OF MORTON SOBELL

GALE SONDERGAARD

ACADEMY AWARD WINNING ACTRESS

DALTON TRUMBO

NOTED AUTHOR, PLAYWRIGHT

Ethel & Julius ROSENBERG

Morton SOBELL

TRIBUTE TO TRUTH

CHORAL DRAMATIC PRESENTATION

FRIDAY JUNE 17th 8:30 p.m. sharp

EMBASSY AUDITORIUM

9th & GRAND

LOS ANGELES

TICKETS:

ADVANCE SALE 50 CENTS

AT DOOR 75 CENTS

Auspices: Los Angeles Sobell Committee

468 North Western Ave., L.A. 4

HOllywood 4-4725

Exhibit 1

100-10971-1B696

TRIBUTE TO "TRUTH"

PROGRAM

CURTAIN.....8:45 P.M.

CHAIRMAN.....DALTON TRUMBO

NARRATOR.....GALE SONDERGAARD

DIRECTED BY.....ROBERT SHERWOOD

CHORAL ENSEMBLE.....CONDUCTED BY WALDEMAR HILLE

Compositions.....MUSIC BY WALDEMAR HILLE

"THE EARTH SHALL SMILE".....POETRY BY WALTER LOWENFELS

"STRONGER THAN ALCATRAZ"

NOTE: THERE WILL BE NO INTERMISSION DURING THE PROGRAM.
PLEASE REMAIN IN YOUR SEATS UNTIL THE FINAL SCENE
OF "THE EARTH SHALL SMILE".

SPECIAL CREDITS

TRIBUTE MEETING TICKETS AND PROGRAM PRINTED BY:
THE SOBELL YOUTH COMMITTEE

AND our appreciation....to those
who shall remain nameless until that wonderful
tomorrow, when they can publicly receive the credit
they so richly deserve.

WELCOME, AND OUR BEST WISHES FOR A PLEASANT EVENING....

AUSPICES: LOS ANGELES SOBELL COMMITTEE
1468 NORTH WESTERN AVENUE
LOS ANGELES 4 — HOLLYWOOD 4-1725

Exhibit 2

IB 696

National Committee to Secure Justice for Morton Sobell
1050 Sixth Avenue, New York 18, N.Y. LO 4-9585

March 1, 1955.

THE NEW PHASE IN THE SOBELL CASE

(On Feb. 13th a conference was held in Chicago with representatives from the national committee and committees from San Francisco, Los Angeles, Minneapolis and St. Paul, Milwaukee, Chicago, Des Moines, Iowa City, Cleveland, and New York. The following is a report on ideas expressed at the conference and on a program of action for the coming months. It has been prepared by David Alman).

"The integrity of justice as administered in the United States is at stake."

These words, spoken by Dr. Urey at the Chicago Dinner, place the Rosenberg-Sobell case in its true perspective. Only the righting of the wrong in this case can re-establish a pattern of fairness and democracy in our courts. Without a reversal of the verdict, said Dr. Urey, "no justice is possible at all."

There are in our country today a number of cases historically related to the one that has been our prime interest since the fall of 1951. The same prosecutors, judges, and witnesses appeared in a number of them. They all led to the Rosenberg-Sobell case, to the ultimate stigma of treason upon the names of non-conformists, to the ultimate sentences of death. Were it not for an extraordinary campaign of enlightenment, involving at its height the participation of several million people, the Rosenberg-Sobell case would have led us into a time of wholesale executions and repeated sentences of living-death.

Today, the Rosenberg-Sobell case haunts the equilibrium of all who directly or indirectly participated in its frauds and cruelties. No case in our time commended so much attention, drew so many advocates, created so many doubts, or compelled so much self-justification on the part of the team of executioners. Other verdicts in other related cases may be reversed without laying bare to the American people the lengths to which life and freedom have been subordinated to the demands of transitional policies at home and abroad. Indeed, that has happened in some instances. But were the Rosenberg-Sobell case to obtain a new and honest verdict, no other related case would stand unchanged. No person connected with the Attorney General's conduct of the case could remain in public life, and some would undoubtedly find themselves indicted. No piece of legislation resting on the Rosenberg-Sobell case for its justification could remain unchanged. And all design for further attacks on life and liberty, in the name of saving the nation, would have to be set aside.

Exhibit 3

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Wherever men and women are in prison today solely for social, economic, or political non-conformity, their hope lies in an exposure of the Rosenberg-Sobell case, for that is a key to all undeserved prison doors.

The nationwide Justice and Clemency campaigns between the fall of 1951 and June of 1953, and the constant--if not yet intense--efforts around Morton Sobell, have been an indispensable background to many new developments in our country. There is today a growing sentiment for the restoration of due process in the courts. There are confessions by men and women who played the role of perjured witness in trials and Congressional hearings. (It is interesting to note that, according to Harvey Matusow, he first decided to reveal his perjuries shortly after the execution of the Rosenbergs). There are a number of Federal Judges who have shown a courage akin to that of Justice Douglas when he dared stand alone on June 17, 1953. There are newspaper columnists, like the Alsops, who have taken their stand in the Oppenheimer case. There has been the censure of Senator McCarthy and the subsequent exposure of Roy Cohn.

These events had their origin in the profound disturbances created by the Rosenberg-Sobell case. They would have been immeasurably delayed had not the Justice and Clemency campaigns halted further plans to create an atmosphere of frenzied hysteria on the bodies of the tortured and the dead.

A new step forward was created by the advocates for Morton Sobell on the night of February 12th, when the dinner to Dr. Urey took place. Dr. Urey and the other eminent guests that evening chose to speak directly under the auspices of the Chicago Sobell Committee, and they made it clear that the Sobell case was, to their thinking, of key importance in our times. Some 6000 Americans, in a scroll to Dr. Urey, made known their belief--at the very least--that they applauded the great scientist's exercise of his right to speak his mind on the case itself. Some of these signers, like Dr. Urey himself, are Nobel Prize winners. Others are eminent in science, religion, philosophy and history.

Within less than 24 hours following this historic event newspapers throughout the country, carrying portions of Dr. Urey's speech, placed at least some of the facts in the case before large numbers of the American people.

With this impetus, and within the framework of an improving atmosphere, the various committees, groups, or individuals who have interested themselves in the Sobell case have an extraordinary opportunity to move towards new, more far-reaching steps leading to Morton Sobell's freedom.

The National Committee, therefore, is now preparing public and legal steps that will carry the case to a new stage. This program will reflect the willingness of large numbers of people to take a second look at the conduct of the Attorney General's office, and their growing apprehension that our standards of justice have been flagrantly abused. This program will be cognizant of the fact that we are entering a time when our fellow citizens

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can be moved not only by humane and ethical considerations, but by indignation at exposed falsehood.

This program will be characterized, in the first place, by the placing of the facts in the case before larger numbers of the American people. Dr. Drey's speech and the press coverage that followed it, was the initial step in that direction. Now, new ways must be devised to make public the contradiction in testimony, the perjuries, the tortures and cruelties involved in the case.

This program will be characterized, secondly, by activities directed at all three branches of our government. Our attorneys will press in the courts for transfer, for review, for a new trial. Our appeal for an investigation by an appropriate Committee of Congress will be renewed, with the solicitation of public support for such a step. Within the Executive Department, we will press for transfer, for the withdrawal of objection to a court review, and finally, if necessary, an appeal for Presidential pardon or commutation.

The third characteristic of this program will be its widespread scope. Every section of the population, regardless of its station in public or private life, will be reached with the facts in the case. The scientist, minister, lawyer, educator, social worker, union leader, the worker, housewife, and student must all find themselves in possession of the facts and encouraged to take whatever steps are appropriate to the moment.

The fourth characteristic will be a further seeking out of the diversity of levels upon which people can take action on the case. The Sobell Case is replete with inhuman and immoral acts by the Attorney General's Office, as well as with grievous denial of due process and outright fraud. The process of enlightenment for differing persons and sections can begin at any of these points, and must always tend to move towards fuller knowledge. We have seen, heretofore, that many persons, while actually doubting the validity of the verdict and sentences, nevertheless chose to limit the expression of their opinion to humane questions. These opinions are of extreme value to the efforts on Sobell's behalf. To raise those opinions and actions to a more effective level, it is necessary to enlighten people on the key importance of the case for the future of democracy in our courts and country. Those who share our view that Sobell is the victim of a terrible fraud, and yet limit the range of their appeal, can be made to understand that it is in the best interests of our country that they come to grips with the fundamental issues in the case.

Such a program requires a detailed plan of activities, most carefully thought out, exceedingly flexible, and realistic in purpose and fulfillment. It cannot be entirely blueprinted, but must be created step by step as new developments take place, as our program of education grows and takes hold, and as new situations arise.

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It is essential to keep in mind that, regardless of the step we call for at any particular moment, we must seek to find the broadest and most numerous support. This applies equally to the campaign for transfer now being strengthened and to a possibly-not-too-distant campaign for Presidential commutation of sentence. Just as the former must find the means of embracing all shades of opinion--from the humane to the advocate of Sobell's innocence, so the latter must encompass these as well, so that even persons believing in Sobell's guilt will recognize that this sentence was far too severe and that his freedom would materially aid the growing sentiment against extremism and unprecedented harshness in the courts.

The following are the steps with which we propose to open this new period in the campaign for justice for Morton Sobell.

First: The immediate development of a legal program that will place before the courts the errors of the trial, the perjuries of the witnesses, the new evidence continuously being uncovered, the revelations of Harvey Matusow in respect to Roy Cohn, and other proper courtroom steps which may become feasible. These legal steps would involve both question of transfer and a new trial. This would require additional legal help, a step that is already being taken. The motions and arguments prescribed to the courts will require popularization and dissemination among large numbers of people, for an appeal to the Executive Department to withdraw opposition to consideration of these motions by the courts.

Second: The immediate undertaking of a national unified campaign around the question of Sobell's transfer from Alcatraz. There will be those who will support an appeal based on humane grounds. There will be others who, though in agreement with the verdict and sentence, nevertheless recognize that a man who maintains his innocence has the right to press his case in the courts under fairer conditions than Alcatraz permits. And there will be those who are indignant that a man who has not been convicted by due process is compelled to live out his life in that distant and harsh institution. A campaign unifying all these diverse groups, bringing their divergent reasons together, must display an intelligent and effective flexibility.

Heretofore, our efforts for transfer have been directed, for the most part, to the Director of Prisons. As indicated earlier, an appeal to the courts will also be made. But we see the need to open new directions on this question, namely, the Congress and the Senate. An appeal to all three branches is therefore called for, and there is now in preparation material, petitions, etc., directed to each. As this campaign grows, as it meets and solves new problems, it must begin to reflect the whole truth in the case, and must lead to the development of a public consciousness that will, by its number and importance, elevate the case and the campaign to a new level.

One of the first steps is the preparation of a new appeal for the removal of Morton Sobell from Alcatraz. This appeal will be sent to leading Americans who have already individually ex-

pressed their request for transfer, and they will be asked to join in this statement. The circulation of this appeal will then be made among leading persons on community, state, and national levels, with the intention of making the statement public (in the form of newspaper ads, for example) when enough names are collected. We see the possibility of every committee getting enough leaders in its particular city to endorse such an appeal and agree to having their names included when the statement is made public. Of course, this must be done with the utmost care and integrity, both on the national and local levels. Persons must be assured that their names will not be released before they are consulted with again prior to the making public of such an appeal.

A leaflet now going to the printer makes the tie-up between the Natusch disclosures and the pattern in the Sobell case. These leaflets will be pushed to you, and it is hoped you will make the fullest possible use of the leaflet, either as is, or by adapting it to suit your needs. This is the kind of material we believe can be used to reach millions of Americans in a grass roots campaign. Other material will be published and issued in large quantities. We have been getting many demands for the Dr. Urey speech, and arrangements are being made to get printed copies. This speech is excellent to include in mailings to persons whom you want to reach. Also available is a reprint of a follow-up letter which appeared in the New York Times.

Committees are urged to see all those whom they visited for the scroll for Dr. Urey. Wherever possible, these people should be brought material on the Sobell case, with the aim of advancing their thinking and viewpoint on the case.

The National Committee is preparing an addendum to the request for an investigation of the case. This material will be presented to the Senate and House Judiciary Committees, and to all Senators and Congressmen. Copies will be made available to all of our committees. It is urged that a letter-writing campaign to Congressmen and Senators be carried out, and that committees take specific quotas of letters they will get written. These letters should urge the investigation, and also urge the Senators and Congressmen to intervene with the Justice Department, to effect Morton Sobell's transfer. (In this connection, Helen Sobell has already received many letters from Congressmen and Senators in answer to personal appeals from her. All of the replies were very cordial, and in many cases, copies of the correspondence were sent to Bennett's office, and Bennett felt it necessary to write to the legislators.)

One of the greatest means of education we will soon have, will be John Wexley's book, "The Judgment of Julius and Ethel Rosenberg." For various reasons there have been delays, and we are pressing for copies of the book as soon as possible. Preparations are under way for a national speaking tour for John Wexley. Wherever he has spoken in the past months, he has evoked tremendous interest in the case. All committees are urged to begin thinking about the possibilities for a meeting around Wexley and his book, and the national office will be in touch on working out the specific dates. This book must be placed in the hands of every

important person in your city, no matter what his or her position on the case has been... another illuminating book just published is the "Atom Spy Hoax", by William Reuben. This book contains much information that will be helpful to persons working on the Sobell case.

The national office will undertake a number of field trips in the next few months, so that every section of the country can be covered, and committees can be assisted in carrying out their programs.

The National Committee and individual committees are to begin planning now for large events to be held for Morton Sobell on June 19th, in memory of the Rosenbergs. Our activities developed during the next months should be done with this culmination date in mind. Between now and June 19th, we must see that our literature reaches tremendous numbers of people, that many names are added to the national appeal for transfer from Alcatraz, so that there will be a firm base for meaningful and widespread activity on June 19th on a coordinated, national basis.

To conduct the kind of a campaign necessary will take many thousands of dollars and will require much greater financial participation from our committees. A detailed explanation of these needs and suggestions for quotas and means of raising funds are being prepared and will be mailed to you.

We believe this program, coupled with our legal plans, presents the framework for the kind of campaign that can win Morton Sobell's transfer from Alcatraz, and set the stage for winning his complete freedom. How this program is developed will depend not only on the work of the national committee and staff, but on what each Sobell committee does to develop its program and win over large numbers of people in each major city. As was demonstrated in other phases of this case, it will be the creative work of the many groups throughout the country that will add up to a significant national campaign for justice for Morton Sobell.

Committee to Secure Justice for Morton Sobell
1050 Sixth Ave., New York 18, N.Y. LO 4-9585

March 15, 1955.

Dear Friends:

As indicated in our conference report, we are now sending you the more specific outline of our intended activities and needs for the period between now and next October.

1. Legal Steps--A number of briefs are now in preparation. These will cover the transfer question on several counts, and appeals for a new trial, which will include points based on Justice Frank's dissent, on the "double conspiracy" law, the use of perjured testimony, the kidnapping of Sobell from Mexico. Also being looked into are Matusow's revelations re Roy Cohn and Elizabeth Bentley.

In addition, the fruitful investigation has been going on for two years now, and some of the material unearthed will be available for use in the courts in the immediate future. For want of funds, several important lines of investigation have not been properly pursued. It is of the utmost importance that these investigations begin at once, and we are preparing to do so.

The cost of these legal steps and investigations will come to a minimum of $5,000 between now and October, of which $1000 must be made available immediately for the investigation and $2500 for legal fees.

2. Publication and Printing--The National Committee is planning to issue educational material that will reach hundreds of thousands during the next months. We believe it essential that the speech of Dr. Urey be given to every important person on national, state, and city levels. It will also be necessary to popularize the points raised in the legal appeals and to give them wide distribution. We are now preparing a new document addressed to the Congress and Senate, the national transfer appeal, promotional material on the Wexley book, the number of leaflets and advertisements, a popular analysis of the roles of Bentley, Cohn, and Klitcher in the Rosenberg-Sobell case, and a new printing of the trial transcript (there are few copies left from the second printing).

Our estimated expenditure for these printings is a little over $5000, the major part of which will be needed from now to the end of June.

3. Field Trips--Our experience in the past years has impressed upon us the impossibility of creating a nation-wide campaign without the closest possible contact with committees and groups in over 30 cities across the country. Discussion with local groups, reviewing and absorbing their experiences, learning from their criticisms and suggestions, assisting them with their problems, bringing them detailed information on what other cities are doing, familiarizing them with the progress and perspectives of the case--all these can only be done by personal face-to-face contact on field trips. Activity always follows in the wake of

Exhibit 4

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these field trips--public activity, effective education and fund raising.

Between now and the end of June we plan to have the equivalent of 10 weeks in the field, shared by four or five persons, each spending two or more weeks visiting the various cities. These visits will begin at the end of March or early in April. In addition, a tour is being mapped out for John Dexley beginning in May.

These ten weeks in the field will cost, in travel and expenses, some $2000.

4. National Committee--The National Committee feels that the present moment is one of great potential in the case, for reasons given at some length in our conference report.

To carry out a program adequate to this potential, the National Committee is undertaking a double-edged program: economy where that is possible, expansion where that is indispensable. Our first thought in expansion is always in terms of our educational material and methods rather than in staff expansion, although if our activities are effective, we shall undoubtedly have to enlarge the staff in the fall. (That would include the temporary subsidizing of one or two organizers in key cities or areas where there are no such persons today).

Meanwhile, we shall attempt to carry through these activities with the present staff, consisting of one full time person in the national office, an office worker shared with the New York Committee and a number of excellent and devoted volunteers and the cooperation of the 30 committees and groups around the country.

Salaries for the National Office, including our obligations to the Sobell family, will come to $5000 through September, 1955.

Another $3500 will be spent on the running of the office, postage, rent, mimeographing, telephone, electricity, special mailings, special fund raising activities, special outlays to cover visits to Morton Sobell in Alcatraz and other indispensable irreducible expenses. This likewise applies to expenditures through September.

A final indispensable expense will be a partial repayment of the loans which have made much of our past work possible. It was our original intention to repay some $5000 by next September, but the consensus of opinion seems to be that this is impossible. The lower figure of $3000 has been set, although it will seriously reduce our ability to borrow money to carry us into the fall and winter of 1955-56. Nevertheless this step has been taken on the assumption that the increased activities of the coming period will reduce or eliminate our need for further loans.

In all, the above activities will cost some $23,500 through September. We feel that this figure is the irreducible minimum for a serious campaign in the coming months. Neither the Sobell

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family now the Committee wishes to mark time and that is what a lesser budget would dictate.

In other letters and during the field trips we shall discuss the carrying out of these activities and some of the means of raising the necessary funds. At this time, however, we want to tell you what we hope to raise from the cities throughout the country. The amounts given are, in the opinion of our Committee members who are familiar with the various cities, commensurate with their ability to organize effective activities around the case and with the possibilities that exist. Based on such factors, it is believed that the cities can raise approximately a third more than the amounts indicated, that third going for local expenses.

Austin, Texas	$ 100
Baltimore, Md.	$ 300
Boston, Mass.	$ 300
Chicago, Ill.	$ 1000
Cleveland, Ohio	$ 1000
Dallas, Texas	$ 250
Denver, Colo.	$ 200
Des Moines, Iowa	$ 200
Detroit, Mich.	$ 750
Houston, Texas	$ 500
Los Angeles, Calif.	$ 1000
Milwaukee, Wisc.	$ 300
Minneapolis and St. Paul, Minn.	$ 750
New Jersey	$ 750
New Orleans, La.	$ 250
New York	$ 10000
Philadelphia, Pa.	$ 250
Phoenix, Arizona	$ 150
Portland, Oregon	$ 300
San Francisco, Calif.	$ 1000
Seattle, Wash.	$ 300
St. Louis, Mo.	$ 350
Syracuse, N.Y.	$ 300
Tucson, Arizona	$ 300
Washington, D.C.	$ 500

This would still be short of the total needed, but we can expect the difference to come in from various national mailings, etc.

We urge that you consider these figures and begin taking immediate steps to guarantee the funds necessary to speed your campaign to remove Morton Sobell from Alcatraz, to win a new trial, and to free him. We must stress that some of the money must begin coming in quickly, and therefore suggest that you might arrange to send monthly contributions to the national office.

Very sincerely yours,

Ted Jacobs

Ted Jacobs
FOR THE COMMITTEE

18696

REPORT TO THE GREATER NEW YORK CONFERENCE TO SECURE JUSTICE FOR MORTON SOBELL

SATURDAY, APRIL 23, HOTEL GREAT NORTHERN, NEW YORK CITY

It is almost two years now, that most of us sitting here, together with thousands across the country, and millions around the world, threw all our energies and understanding into the struggle to save the lives of Ethel and Julius Rosenberg.

To paraphrase Dr. Urey, in his last efforts to reach Judge Kaufman, "We came into the case concerned with the Rosenbergs, We remained concerned about America."

The Rosenbergs never lost their confidence in the American people. Morton Sobell finds the strength to endure Alcatraz, and resist FBI pressure through his confidence that people like ourselves will engage in a conscious effort to seek the truth of this case and bring it before our country and the world, and remove the weapon of spy-hysteria which some elements in government would use to curb our civil liberties.

That conscious effort requires a belief that conditions are developing which make it possible to secure the transfer of Morton Sobell, a new trial, and in the process, an examination of the fraud put over on the American people, two years ago,-- and it's purpose.

Is this possible?

Most of us could forsee the kind of headlines that appeared on Fort Monmouth, but who among us two years ago would believe that within a year the very efforts to develop the Rosenberg-Sobell hoax, would have sparked the Army-McCarthy hearings, and the national unity against McCarthyism; who would have forseen the public branding of Roy Cohn, key prosecutor in the key Rosenberg-Sobell case, for preparing perjured testimony; who could forsee a status ow exposure of the governments use of paid liars shocking a country; a documentation of Elizabeth Bentley...

Elizabeth Bentley, key witness used in the Rosenberg-Sobell trial to establish a thesis that spies were communists and therefore all individuals branded as communists were guilty of conspiracy punishable by death for thirty years; Roy Cohn...already a public pattern begins to emerge to a public more ready and conditioned to recognize the truth than two years ago.

This and the growing knowledge of new facts in the case, gives those of us who have followed it closely, the courage and right to believe that we ordinary people have the ability and the power to make a tremendous contribution to the moral health of America in our efforts on behalf of Morton Sobell.

It is within this atmosphere that we have added to our legal staff a new firm of attorneys who, together with Stephen Love, are preparing for a series of legal moves before the courts. A brief will be presented to the court before the summer recess, for removal of Morton Sobell from Alcatraz.

Exhibit 5

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In the next few months, our attorneys are completing the preparation of briefs setting forth new evidence in the case, and calling for a new trial.

Certainly we have seen evidence in the last 24 hours, in the ability to secure reversals in the courts based upon the admission of the use of perjured evidence.

Now is the time, as this case goes into new legal phases, for us, all of us, to lay the groundwork for an educational and public campaign which will facilitate action from the courts.

The points raised legally both in the petition for removal from Alcatraz, and in the petition for a new trial must be our basis of work for the next few months.

We can raise the questions of doubts in this case, of inhuman treatment in the sentence, and certainly in the imprisonment of Morton Sobell in Alcatraz, the obvious contradictions in testimony, the perjuries, and the special tortures and cruelties. It is a fact that since June, 1953, there have been no other spy trials. The resistance of the Rosenbergs; the refusal of Sobell to break; the tremendous public outcry has blocked new trials based on flimsy trumped up charges.

But there can be no sense of relief until the one living defendant is freed and the full facts in a new climate made known. Thousands of New Yorkers like ourselves will never forget the period leading to June 19th, 1953, and it is appropriate that this anniversary period from now until June 19, 1955, we join not to mourn but to organize--

We propose that we in New York reach out within this period to at least 2 million people through an educational campaign in the following manner:

1. That we do everything possible either through our own sponsorship or through the sponsorship of individuals to place at least two full page ads in two of the leading New York newspapers, such as the New York Times and the New York Post. In addition, in every boro where there is a community newspaper, daily or weekly, that ads can be placed, also within this memorial period. In each case these ads are to help expose the fraud and contradictory testimony inherent in this case, prepared by those who since the initial trial have been implicated in other questionable and fraudulent charges, such as Roy Cohn and Elizabeth Bentley.

2. The Urey speech, made at a dinner in his honor in Chicago, on February 12, is a definite landmark in this new phase of the Sobell case and the understanding of all its meaning. We therefore propose that we in New York get at least 50,000 of this excellent reprint into the hands of, and on the desks of, university professors -- students on the campuses -- scientists -- local and city wide politicians -- religious leaders -- and other community leaders who are also responsible to groups of people.

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3. After three years of intensive research, investigation, and sleuthing, which led in many directions, John Wexley, has completed his book, which is now in the press, "The Judgment of Julius and Ethel Rosenberg."

Wexley's research has uncovered additional evidence which strengthens our public position and legal steps. Our National Committee is convinced of the opportunities which this opens up in the uncovering of fraud and proving the denial of due process.

Certainly we recognize the tremendous value of such a documented book,—a reference library to which all of us can refer.

We propose that in New York we undertake the minimum task of the sale of 5000 copies of this historic document between now and September.

In addition, as part of the work of education on the case among New York's civic leaders, we raise the funds necessary to send out 1000 complimentary copies. With this book as a basis for discussion and further exploration of the facts in the case, we undertake in every boro the visiting of the most important of this group of 1000, until we get sufficient numbers of these people to speak out on behalf of Morton Sobell.

4. Since we recognize that there is a change in atmosphere and attitudes, and the need to speak out against injustices, as evidenced by the 6000 people who signed the Urey scroll, we propose that we today launch a National Appeal, addressed to the Director of Prisons, asking that people sign this appeal as one step in the fight for removal of Morton Sobell from Alcatraz.

In outlining our educational campaign through the distribution of the Urey speech and the Wexley book we have laid the basis for going to many people such as religious leaders, community leadership. By this we mean anyone in the community who has some measure of influence for contact with groups of people--and asking them on the basis of what they have read and on the basis of any doubts possibly raised, to take the minimum step in guaranteeing the basic rights of any person convicted of a crime but who professes his innocence--giving him the opportunity for fighting along with his attorneys and those people coming to his defense. Therefore, since Morton Sobell's incarceration in Alcatraz virtually makes contact of this nature impossible, Morton Sobell must be transferred that he may have the opportunity to prove his innocence, free from third degree pressure of Alcatraz. We propose that we obtain in New York at least 5000 such signatures by October 30th.

5. In the first week of June, we would like to get into the hands of the man in the street 35 to 50 thousand copies of a single page leaflet highlighting the question of perjury in the Rosenberg-Sobell case.

Local committees should plan their most effective use of such leaflets.

6. Legislative--Recognizing the importance of pressure on the people who represent us both in the Senate and in the House

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of Representatives, as evidenced by correspondence with Helen Sobell, and other members of our Committees and through personal contact, we propose that we immediately start a campaign in New York asking people in each community to write to their Congressmen and Senators raising the question of why has this man Morton Sobell been sent to Alcatraz, and asking them to look into the matter.

We propose extensive mailings to people asking them to participate in this action at once; these mailings to be followed up with planned telephone campaigns and visits to individuals in the communities, to insure a certain amount of mail having reached a particular representative so that a delegation to the representative may be planned immediately after May 30th, and sometime before June 19th. We propose we visit at least 5 Congressmen in each boro and that the committees and boro representatives work these plans out to insure this minimum legislative action, which will be the beginning of a large scale national legislative campaign which we hope will culminate in delegations to Washington sometime in the Fall.

7. Funds — If we accept that the program as outlined above, is the beginning of our minimum obligation towards winning justice for Morton Sobell — that the legal steps projected and the supervision by the attorneys of the obtaining of new evidence in this case is essential, we must accept as well the responsibility for the raising of the needed funds.

The ads in New York, both the city-wide and local as well, should run to $4000, as a minimum.

The educational campaign, mailings of leaflets, survey speeches, and large scale mailings should come to another $1000.

The distribution of 1000 Wexley books to VIPs in N.Y. should come to $4500.

We are just throwing out these general figures recognizing in addition that the administration of this program as well will require additional financing.

All this necessitates that New York raise at least $13,000 from now until October 30th.

Since the next 6 weeks are of such vital importance for distribution of new material, we suggest that $8000 be raised by June 19th, and $5000 over the summer and up to October 30th. In this respect and so that each boro can work out its best means of meeting their obligations which we know they are anxious to accept, we propose that this budget be divided as follows:

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	Up to June 16th	June 16th to October 30th	Total
Manhattan	$1250	$750	$2000
Bronx	1250	750	2000
Queens	1000	750*	1750
Brooklyn	1800	1000	2800
Nassau	1800	1000*	2800
Westchester	1000	750*	1750

We have kept these quotas higher than the proportion up to June 16th recognizing that there is not the general exodus and greater possibility of fund-raising.

As a first means towards raising the funds set forth, we suggest that there be an immediate consideration of all the possibilities in every community for having house parties, asking all kinds of people who never had any feeling or interest for this purpose to make one small minimum contribution towards the memorial period as an indication of their feeling and for the sacrifices made by Ethel and Julius Rosenberg and the continued sacrifice being made by Morton Sobell. That the nature of this undertaking either be a community party of 50, 60 or 100 people or a number of small parties of individual friends and neighbors, where we can suggest as a basis for interesting discussion the points raised in the Wexley book, the reading and preparation of dramatic material available shortly to be used specifically for such functions.

We know and, as I personally can tell you, this is a real possibility. We in Brooklyn expect to work out the plans for a Brooklyn-wide women's luncheon to be held before June 16th and at this moment the potential of at least 5 more small house parties and discussions.

If there is any assistance we can give to the areas we will be glad to do so. We have the names of professional and other prominent people who have helped out in many ways in the course of the campaign and can and should be approached at this time to participate on whatever level they can. We say again there are many such people in each community. It is your job to get to them and to get to them quickly. We will provide the material necessary for making such affairs a success as well as bringing speakers who are well acquainted with the latest developments in the case and who can lead the discussions and whatever else may be required.

By coming through the next few weeks, and pursuing the plan for hundreds of house parties, discussions, and functions of all types, we shall have created the groundwell for coming to June 16, when we in New York will hold a memorial affair in Carnegie Hall. We are confident that thousands will want to gather together to say — "We haven't forgotten" — we will make the truth known; we will win freedom for Morton Sobell.

Our program will be in the nature of an original dramatization and an original musical score, written for this occasion. The price of the tickets, for the entire house, will be $1.25, no reserved seats.

We know that there are many people who would want to help fill Carnegie Hall, as their contribution in this period. Our publicity material is now available.

Our Program has something for everyone to do--committee member or individual--who can help open the doors of Alcatraz, and cleanse the conscience of America.

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National Committee to Secure Justice for Morton Sobell
1050 Sixth Ave., New York 18, N.Y. ALgonquin 4-9585

April 26, 1955.

Memo to Committees:

NEW NATIONAL APPEAL

The National Committee, in accordance with a decision reached at our Chicago conference, is launching a new national appeal on the removal of Morton Sobell from Alcatraz. This appeal, we believe, is the kind that you can successfully take to leaders in your community—clergymen, doctors, lawyers, labor leaders, professors, scientists, writers, etc.

This appeal was drawn up within the framework of the conference decision to orient all our literature and activity towards the most widespread elucidation of the facts in the case.

The point of growing emphasis, therefore, is that Sobell's detention at Alcatraz evades the laws granting convicted persons the right to appeal.

The successful work done in many cities on the scrolls for Dr. Urey shows that this new appeal can be successful. What has been proved over and over again is that when people visit their community leaders and discuss the facts in this case, support can be obtained.

We believe that we can secure the endorsement on this appeal of some 50,000 persons throughout the country by the fall. This will take a tremendous effort. The effect of making public that so many prominent persons have signed such an appeal will be a significant step forward in getting Morton Sobell out of Alcatraz.

We are sending you one copy of the appeal now—and will ship you immediately additional copies in the quantity that you request.

We ask you to immediately take up the appeal in your group and integrate its circulation into your plans for this memorial period.

Sincerely,

Ted Jacobs

Ted Jacobs
FOR THE COMMITTEE

P.S. Enclosed also find the reprint of the excellent new Canadian article, additional copies of which are available.

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An Appeal

Director of Prisons
Justice Department
Washington, D.C.

IN our American judicial system the right of all convicted persons to appeal their verdicts and sentences is inherent in the elaborate system of coourts of review. One such prisoner, Morton Sobell, seeks redress in the courts against his conviction and 30 year sentence for conspiring to commit espionage, a crime of which he asserts his innocence.

The imprisonment of Morton Sobell at Alcatraz, created by Congress as the most restrictive prison in the land for the incarceration of men unmanageable at other institutions, denies him — without cause — the opportunity to make fair and timely use of his rights under the law.

Three thousand miles separate Morton Sobell from the courts of jurisdiction in his case, and from his counsel, making direct and timely consultation almost impossible. Moreover, an Alcatraz regulation denying inmates access to newspapers virtually prohibits timely discussion of information appearing in such newspapers which may bear on various witnesses and prosecutors involved in his trial.

Visits to Morton Sobell by his wife and mother, who reside in the East, are made only at enormous financial sacrifice. His children, under Alcatraz regulations, may not see him at all.

We believe that such restrictions, when not warranted by misconduct, enlarge the margin for judicial error at the expense of justice itself. For these reasons, we, the undersigned, making no expression of belief in the innocence or guilt of Morton Sobell, respectfully urge that he be transferred to a regular Federal Prison where he may exercise those rights of appeal guaranteed to him under the law.

NAME	ADDRESS	CITY

The COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL — 1050 Sixth Ave., New York 18, N.Y. LO 4-9585

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the FACTS in the case of MORTON SOBELL

MORTON SOBELL is not an ordinary prisoner. There is nothing ordinary about the circumstances of his arrest, his trial, his 30-year prison sentence, his continued imprisonment in Alcatraz.

Mr. Sobell was a co-defendant in the same trial with Ethel and Julius Rosenberg. The charge was "conspiracy to commit espionage." Morton Sobell, like the Rosenbergs, maintained his absolute innocence from the day of his arrest.

The main conspiracy charge in the trial concerned the atomic bomb. But Trial Judge Irving Kaufman admitted to Mr. Sobell in court: "The evidence in the case did not point to any activity on your part in connection with the atomic bomb project." Yet Morton Sobell was sentenced to 30 years.

Dr. Harold C. Urey, atomic scientist and Nobel prize winner, who studied the trial transcript, stated: "Sobell's sentence of 30 years at Alcatraz is completely out of line with any evidence of wrong-doing which the government was believed to present. In fact, I do not know what he did do."

There is a widespread belief that Morton Sobell is a tragic victim of the hysteria surrounding what the *Columbia Law Review*, a distinguished law journal, has called the "outstanding political trial of this generation."*

THE BACKGROUND

Morton Sobell was born and raised in the Bronx, New York. He was graduated as an electrical engineer from the City College of New York, where he was a classmate of Julius Rosenberg. He received a Master of Science degree from the University of Michigan. During World War II, he turned down an important study fellowship and chose instead to work at a job that would contribute to the

*Columbia Law Review, "The Rosenberg Case—Some Reflections on Criminal Law" (Vol. 54, p. 219, No. 2, February, 1954)

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war effort. In 1950 Mr. Sobell was employed at the Reeves Instrument Company. He and his wife and two children lived in a modest home in Queens, N. Y.

On June 22, 1950, Mr. Sobell and his family went to Mexico as tourists. This is shown by the American airlines passenger list and by their tourist cards. In Mexico, Morton Sobell first read of the arrest of Julius Rosenberg on charges he believed to be absurd. The arrest of his former classmate climaxed a whole series of developments which made Morton Sobell fearful that freedom was being destroyed in the United States. Mr. Sobell, who had been a vigorous supporter of Franklin D. Roosevelt's New Deal policies, was alarmed at the growing restrictions on scientists, the contempt citations, the dismissal of federal employees on disloyalty charges, the firing of teachers, the Smith Act trials, and other attacks on the civil liberties of anyone who dared exercise his right of dissent.

Mr. Sobell became one of many Americans abroad who considered avoiding the growing hysteria by remaining abroad. He began making inquiries about places where he and his family might go, sometimes using different names in doing so. However, Mr. Sobell and his wife talked over the matter. "We realized" she said, "that our ties to home were too strong, that we owed it to everyone to return to help combat the repressive tendencies from which we had contemplated staying away and sitting it out."

The Sobell family got the vaccinations required of tourists for re-entry into the United States and arranged for passage home.

THE KIDNAPPING

On Aug. 16, 1950, as the Sobells were having dinner in their apartment in Mexico City, their home was invaded by armed men who claimed to be Mexican police. They had no warrant, and accused Sobell of robbing a Mexican bank. They insisted he accompany them. Mr. Sobell asked to be allowed to call the American Embassy, but was dragged from his home, beaten into unconsciousness and driven away. His wife and children were also seized.

According to the New York Times of Aug. 18, 1950, Mexican immigration officials stated that agents of the Mexican secret police delivered Sobell directly to the FBI, without consulting their government. Sobell and his family were taken across the border to Texas. U.S. papers carried the headline: "ATOM SPY CAUGHT FLEEING IN MEXICO."

THE PROSECUTION'S CASE

One of the chief prosecutors against Mr. Sobell was Roy Cohn, who later became Senator McCarthy's right hand man and has since been thoroughly discredited. The only specific charge listed against Mr. Sobell were that he had five "conversations" with Julius Rosenberg. No reference was made to what was supposed to have been said in the conversations. At the trial itself, the conversations were never once mentioned.

During the trial, which took place during the Korean War, the prosecution claimed that Morton Sobell was a Communist and therefore had a predisposition

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to espionage; that this trip to Mexico was an attempt to flee, and that he was engaged in a conspiracy to commit espionage.

COMMUNIST—As for the prosecution's claim that Mr. Sobell was a communist and therefore likely to be a spy, the Philadelphia branch of the American Civil Liberties Union commented: "It was contended that since the Communist Conspiracy included atomic espionage, Sobell was implicated in espionage. His trial and subsequent sentencing on this basis constitutes a dangerous extension of the concept of Conspiracy, whereby a defendant does not have to be linked with any specific conspiracy."

D. N. Pritt, the famed British attorney, said: "In truth, in the atmosphere of the time and place of the trial, the mere accusation of membership in the Communist Party was presumably so prejudicial that, once it was made, the chances of a fair trial were greatly diminished."

TRIP TO MEXICO—When one country has criminal evidence against one of its citizens abroad, it can legally extradite that citizen. The kidnapping of Morton Sobell, which the prosecution did not deny in the trial, revealed a lack of sufficient evidence to extradite him legally. But by kidnapping Mr. Sobell, just as he was preparing to return home, the prosecution created the impression that he was a fugitive. The *Columbia Law Review* said that had the question of Sobell's kidnapping been litigated, Sobell may have prevailed with the argument that a judgement cannot stand when jurisdiction is obtained through federal officers' violation of the anti-kidnapping law. (Vol. 54, p. 233) The Belgian League for the Rights of Man has called the kidnapping a violation of international law.

CONSPIRACY—No documentary evidence connecting Sobell to a conspiracy was ever introduced in the trial. There was only the testimony of one witness, Max Elitcher, a neighbor and former classmate of Mr. Sobell at City College. Elitcher made his accusations to the FBI against Mr. Sobell months after Elitcher was first questioned and four months after Mr. Sobell's kidnapping. In the trial Elitcher admitted that he had committed perjury in another matter and feared a perjury indictment that could bring him a five-year sentence.

In his charge to the jury, Judge Irving Kaufman said: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."

The *Columbia Law Review* stated: "As the trial progressed, it became clear that the vast bulk of testimony would concern the alleged acts of the Rosenbergs in stealing atomic information. Nevertheless, the *life or freedom* of the defendant Morton Sobell was also at stake, and though he was not shown to have been involved in atomic espionage, this case was undoubtedly caught up in the powerful resurge of these revelations." (Vol. 54, p. 228)

Appeals Judge Jerome Frank (in a minority opinion) said that the jury should have been permitted to consider the case of Morton Sobell separately.

SOBELL'S SENTENCE

Morton Sobell, who pleaded innocent, was sentenced to 30 years by Judge Kaufman.

David Greenglass, who admitted committing espionage, was sentenced to 15 years and will be eligible for parole in 1955. Max Elitcher, who admitted perjury, has never been indicted.

In other cases involving "ordinary espionage" (non-atomic) and tried under the same act under which Sobell was charged, the maximum sentence given was 10 years.

REMOVAL FROM ALCATRAZ

From the day of his arrest Morton Sobell has been under constant pressure from the Attorney General's office to "cooperate." But instead of making a false confession, Morton Sobell has persisted in efforts to win a new trial. On Thanksgiving Day, 1952, while legal moves were under way, Morton Sobell was abruptly transferred to Alcatraz penitentiary, 3,000 miles from his family and attorney.

Alcatraz was established as a maximum security prison for the isolation of repeated offenders and troublemakers who are considered a menace at regular federal prisons. For its severe restrictions Alcatraz has earned the reputation of being America's "Devil's Island." In Alcatraz, Morton Sobell is not permitted visits by his children. His wife can visit only once a month. Even then, they see each other only through a small glass panel and talk through telephones.

Recently the FBI paid three visits to Sobell in Alcatraz. The FBI agent suggested that Sobell might receive leniency if he would change his testimony and confess that he is guilty and that Ethel and Julius Rosenberg were guilty. Morton Sobell's answer was: "I am innocent. I will not soil my hands."

America by tradition abhors and distrusts confessions secured through "third degree" methods. Yet Morton Sobell remains in Alcatraz as a special prisoner of the Attorney General's office. He is under constant pressure to bear false witness against others as a price of his release.

FOR JUSTICE

We believe that justice can be done in this case only by Sobell's removal from Alcatraz, and by a new trial that will examine recent evidence of perjured testimony against the defendant. Supreme Court Justice Black has pointed out that the Supreme Court has never reviewed the case.

Efforts to win a new Sobell trial are continuing. Meanwhile, the voice of fair-minded Americans can end the torture of Alcatraz for Morton Sobell.

Will you join the thousands who are writing letters urging that Mr. Sobell be removed from Alcatraz to a regular federal prison?

Letters should be addressed to:

James V. Bennett, Director of Prisons
Justice Department
Washington, D. C.

Other facts and the full trial record are available at:

THE NATIONAL COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
1050 Sixth Avenue — New York 18, N. Y. — ILO 4-9585

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NATIONAL COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
1050 Sixth Avenue, New York 18, N.Y. Lo. 4-9585

July 30, 1955

Dear Friend:

Within the past few days the House Committee on Un-American Activities under the chairmanship of Rep. Francis Walter, has subpeonaed at least 16 persons in connection with what the "New York World Telegram" has described as an investigation into the funds of the various Rosenberg-Sobell Committees. The subpeonaed persons are scheduled to testify on August 2, 3, and 4th in Washington, D.C.

Among those subpeonaed are Emily and David Alman, and Joseph Brainin; Don and Mil Rothenberg of Cleveland; Eve Weidelman of Detroit; Jean Frantlis of Philadelphia; Philip and Gue Koritz of Boston; Jo Granat of Chicago.

There is every reason to believe that these hearings have come about as a result of the distribution of Mr. Wexley's book, particularly its impact on the jury in the Smilg case in Dayton, Ohio which resulted in a verdict of disbelief in Harry Gold's testimony, as well as the growing number of persons who are privately and publicly joining the efforts being made on behalf of Morton Sobell.

There is no question that a genuine investigation into the Rosenberg-Sobell case by a Congressional or Senatorial committee would reveal that the prosecution cold-bloodedly railroaded the defendants to death and prison. We have asked many times for such an investigation, and are asking for one now.

Many people expect that the House Committee will attempt to assign dubious motives to the persons or committees active on behalf of the Rosenbergs and Morton Sobell. If the House Committee takes such an attitude, it will have shown itself incapable of understanding the American people. No committee or individuals in our country could have aroused millions of people on behalf of three persons convicted of conspiracy to commit espionage unless certain objective factors--completely beyond the influence of any committees--were at work. These factors are the mountains of evidence of perjury by the prosecution witnesses, and the unprecedented and brutal sentences.

Inevitably involved in any such investigation by the House Committee is the principle of freedom of speech and association, a principle subscribed to overwhelmingly by the American people regardless of their diverse opinions on any particular issue itself. Because the clemency campaign was the largest and most important movement of our times, every attack on it directly affects the rights of millions of Americans to ask for redress of grievances.

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If any committee of Congress or independent citizens wishes to learn the origin of the movement to save the Rosenbergs, they would do well to study "The Judgment of Julius and Ethel Rosenberg" by John Wexley; the court record of the trial; the various appeals submitted by the Rosenbergs and Sobell; the documents in Greenglass' own handwriting; the statements by Mrs. Ruth Greenglass to her attorney; the statement of the Vatican in "L'Osservatore Romano," elaborating on His Holiness, the Pope's repeated appeals for clemency, the editorials and articles on the case in various newspapers throughout the country; the statements by noted scientists like Albert Einstein and Dr. Harold C. Urey; the opinions of distinguished jurists in our country and abroad.

Regardless of the attitude of the House Committee, the hearings compel us to call attention once more to the voluminous material, in leaflet, booklet and book form, that deals with the case.

Wherever there are persons or committees concerned with this case, their attention to these materials, their efforts to make them accessible to the public, and their endeavors to free Morton Sobell are of the utmost importance at this particular moment. Undoubtedly the hearings will provide new materials and opportunities to appeal to the public.

We wish to urge, therefore, that every person and committee plan immediately to promote with renewed vigor the distribution of Wexley's book; to promote the acceptance of the book in libraries, in churches, temples, and other book-shelves; its review by local newspapers, radio and television book programs; its discussion among legal, lay and civic groups; its stocking and display by bookstores.

The opportunity of intensified discussion of Morton Sobell's case must be taken at once. The use of the information you now have can give us an opportunity to show that the verdict and sentence against Sobell is a precedent for future vendettas against our judicial heritage, and that justice in our country remains under the shadow of unscrupulous expediency affecting the lives of every citizen so long as the record in this case goes unchanged.

A number of fruitful steps must be taken within the next day or two to provide an atmosphere that will insure that the movement on behalf of Sobell will be advanced as a result of these hearings. These steps require an unusually concentrated and exhaustive effort on the part of everyone concerned, but the opportunity for improvement of the situation is so great that it would be unthinkable for the effort not to be made.

We propose that on one of the hearing days a full page ad be placed in a Washington newspaper, based on the facts in the case, the Wexley book, and the need for a genuine investigation.

We propose that every newspaper editor be visited in an effort to get the fairest and most objective reporting of the hearings, to arrange for interviews with the returning witnesses, statements by the local committees, etc. Attention must be drawn to the

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Yerley Book, with renewed efforts to get reviews and other notices.

On Tuesday, August 2nd, a press conference will be held in Washington in which Mrs. Helen Sobell and Mrs. Rose Sobell will participate. The attention of your newspaper should be called to this press conference.

Statements from civic and prominent persons in your community directed to Congressman Francis E. Walter, Chairman, House Committee on Un-American Activities, House Office Building, Washington, D.C., should go out within the next 24 hours, urging him to respect the right of those who participated in the Rosenberg-Sobell campaigns to hold their opinions and to act on them. Statements from local civic, religious, professional and other groups to this effect are also called for.

Within a week or ten days after the hearings, a series of activities ranging from widespread mailings to the placing of ads, or, where possible, public functions should take place.

The work of your Committee done within 48 hours of receipt of this letter, involving the trip to Washington and lawyer's fees for representing subpoenaed persons and other immediate work will require an expenditure of $3,000. As of this moment we have less than $100.

But it would be intolerable to let this opportunity pass unfulfilled for lack of funds. We know how difficult is the job we place before you. But we know that there is sufficient understanding among people in your community to make it possible to raise the amount needed. We will not even suggest how much your committee might raise. We can only say that you need hundreds of dollars from every committee to meet the requirements of the next 48 hours.

Please let us hear from you immediately.

Sincerely,

Aaron Schneider

For the National Committee

P.S. The enclosure has been sent to a number of people, and may be used in your committee work.

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LONG ISLAND STAR JOURNAL, THURSDAY, JANUARY 13, 1955

Warden's Note: Curtly Denies Visit

Alcatraz Bars Sobell's Wife, Son

SAN FRANCISCO (AP) — Five-year-old Mark Sobell flew from New York to San Francisco yesterday to visit his father, atom spy Morton Sobell, in Alcatraz Federal Prison.

Sobell is serving a 30-year term for conspiring with Julius and Ethel Rosenberg, executed as atom spies. Sobell lived at 164-17 73rd avenue, Flushing, N. Y.

Mark waited excitedly at the federal docks, watching the prison boat coming from Alcatraz Island. He talked of this first boat ride and speculated whether San Francisco Bay was deeper than New York's Central Park lake.

WHEN THE BOAT arrived and a guard handed his mother a note. It was from Paul J. Madigan, newly-appointed warden of Alcatraz. It said simply: "Your visit can not be granted today."

Mrs. Sobell stepped into a phone booth and called the warden. She accused him of reneging on a promise made by former Warden Edwin R. Swope, because of the publicity involved in letting Mark visit his father.

MADIGAN said Alcatraz formerly had a policy of not permitting small children to visit the island, and the prison will return to that policy."

While Mrs. Sobell was in the phone booth, the Alcatraz boat cast off.

Frantically young Mark pounded on the telephone booth and shouted to his mother: "But you promised! Call the boat back. You promised."

ON THE WAY BACK to town he buried his head in his mother's lap and sobbed, "I want to see Dad. Didn't you have enough money for the boat?"

His mother tried to quiet him: "You don't have to pay for that boat ride," she explained.

MORTON SOBELL

HELEN SOBELL

UNITED STATES DEPARTMENT OF JUSTICE

UNITED STATES PENITENTIARY

ALCATRAZ, CALIFORNIA

Mrs. Helen Sobell
Room 1301
20 West Jackson Avenue
Chicago, Illinois

January 19, 1955

Dear Mrs. Sobell:

If you will bring this letter with you, it will serve as a pass for you and your two children to visit your husband, Morton Sobell, Reg. No. 996-AZ on Wednesday, January 26, 1955 and again on Tuesday, February 1, 1955.

Please arrange to board our prison launch leaving Dock #4, end of Van Ness Avenue, San Francisco, promptly at 12:55 P.M.

Sincerely,

P. J. Madigan

~~R. R. Swope~~
Warden

Other facts and the full trial record are available at:
THE NATIONAL COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
1050 Sixth Avenue — New York 18, N.Y. — JO 4-9585

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A NEW PROJECT

TO EDUCATE THOUSANDS

AND TO HELP YOU RAISE
Your Fund Quota Toward The
SOBELL Campaign

Remember the journal "Never Losing Faith" that was published after the execution of Ethel and Julius Rosenberg? Thousands of copies were circulated, so that thousands of people learned of the efforts of people throughout the world to save the Rosenbergs. In that journal groups throughout the United States pledged to win justice for Morton Sobell through aids that they placed.

Now, as the second anniversary of the death of the Rosenbergs nears, we are preparing a new journal--a 32-page, 8½ x 11 booklet that will give additional thousands of people the story of how the truth is moving forward in the Sobell case. The same outstanding journalist and editor who produced "Never Losing Faith" is working on the new booklet.

This project can help you raise your fund quota for the Sobell campaign at the same time as informing many people, including people in your state, on the case.

Here is how it will work:

1. Every committee and group of Sobell supporters throughout the country are being asked to sponsor a portion of the booklet. There will be no advertisements. Instead, at the bottom

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page there will be printed prominently "This page sponsored by (name of committee, organization, union, group or individual.)"

The cost of sponsoring a page will be $250.-

This will be an excellent opportunity to approach many individuals, union locals, organizations and other groups for funds with a specific project that will aid the public and legal campaign for Morton Sobell. We plan to mail the journal to people throughout the country, including those in your area whom you specify. This is a method that, according to past experience, raises substantial sums of money.

Whatever you send toward the sponsorship of the pages in this booklet will be applied to your fund quota.

2. Please let us know by no later than May 16 how much you intend to sponsor. We hope to complete publication of the book shortly thereafter. Also specify how soon you can send the money. It is important that you begin raising the funds immediately.

Sobell Committee
1050 Sixth Avenue
New York 18, N.Y.

We wish to reserve ____ page(s) at the rate of $250.- per page in the new SOBELL JOURNAL in the name of _____ (specify name exactly as you want it to appear in the Journal)

We will complete payment by _____ (date)

Name _____

Address _____

City _____

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Matusow Testifies Cohn Guided Testimony on

Testimony False, Matusow Insists

MATUSOW ADMITS LIE ABOUT OXNAM

Witness Says He Disgusted Aides of Justice Department

Matusow Says His Lies Made Lattimore Case

Harvey Matusow — ex-Communist, ex-informer, self-proclaimed liar — insists he gave false testimony

a lying witness coached by a lying prosecutor

It's the Same Story in the Sobell Case

Should a man spend 30 years in Alcatraz on the word of liars? Morton Sobell, a young scientist and father of two children, sits in Alcatraz today. He was put there by the same kind of testimony exposed in the above headlines. He was put there by the same discredited Roy Cohn who coached Harvey Matusow.

1. The Witness Against Sobell Admits Lying!

Sobell was convicted of conspiracy to commit espionage in the trial with Ethel and Julius Rosenberg, who went to the electric chair swearing their innocence. One witness testified against Sobell, a man named Max Elitcher, as it pertains to Sobell, then you must acquit the defendant Sobell." Elitcher admitted lying to the government, admitted being afraid of a perjury charge, admitted hoping to escape a prison sentence by testifying against Sobell. His testimony:

QUESTION: *So you have lied under oath?*

ELITCHER: *Yes.*

QUESTION: *Were you worried about it?*

ELITCHER: *Yes.*

page 278, printed trial record

2. Roy Cohn Coached This Witness!

Roy Cohn, whose use of a faked photo was exposed in the Army-McCarthy hearings, was a prosecutor in the Rosenberg-Sobell case. Elitcher admitted that this same Roy Cohn helped him "prepare" his testimony against Sobell — testimony he admits was "worked over" for almost a year.

QUESTION: *Will you name the person or persons with whom you went over your testimony in preparing for the trial?*

ELITCHER: *Well, I have talked to Mr. Kilsheimer or Kilshermer and Mr. Cohn.*

page 270, printed trial record

"The integrity of justice as it is administered in the United States is not at stake."

— Dr. Harold C. Urey, atomic scientist and Nobel prize winner

The prosecutors have kept the courts from reviewing the case. No court has never reviewed the testimony! Sobell's attorneys have discovered new evidence. But meanwhile, he sits in Alcatraz, practically shut off from his attorneys, given no newspapers, permitted no mail from anyone but his immediate family, forbidden to see his children. He's kept this way to keep him from proving his innocence.

This is neither justice nor fair play. Is anybody safe while things like this go on? Thousands of persons, like Dr. Urey, are asking that Sobell be transferred from Alcatraz to a regular federal prison so that he can help prepare his appeal to the courts. Will you do the same?

Write to:

JAMES V. BENNETT,
Director of Prisons, Justice Dept.,
Washington, D. C.

Exhibit 11

JB 696

THE TELEGRAM
TORONTO, MONDAY, APRIL 18, 1955

Judith Robinson — THE TELEGRAM, Mon., April 18, 1955 "Page Seven"

Justice For Unpopular People

ANTHING to remember about the University of Cambridge in England is that it is the recognized haven of refugee scientists.

In the 30s scientists escaping from Hitler's Germany sheltered there. In the 50s the refugees came from McCarthy's America. Cambridge hospitality is unaffected by the exiles' country of origin. University employment is found now for escaped American scientists with the same disinterested interest as that which ensured the means to work and live to self-exiled German scientists 20 years ago.

It is said that it is Cambridge's pride not to differentiate between scientific refugees. Since Americans now find, as Germans once found, it necessary to leave a native land where academic and personal freedom are alike threatened, they too may seek sanctuary in Cambridge. They have only to show good scientific credentials and prove need.

This academically correct attitude towards victims, or those fearing to become victims, of injustice made in U.S. has disturbed a good many natives of the land of the free who discover it in their travels. Though the inference worries them, they find it hard to present for what is done to place exiled American scientists in Cambridge is done without ostentation as the mere fulfillment of an obligation inherent in a true university's existence.

Judith Robinson

The obligation is to an ideal of civilization; an ideal, which in these days is pretty hard to keep in memory, let alone in view.

The balance which Cambridge manages to preserve is tragically easy to lose. Most thoughtful Canadians who have watched Canada's national wobblings know how easy. Fewer of us have faced our own knowledge of the full value of all we stand to lose with it, once it is lost.

So it may be as well to note that Mrs. Morton Sobell was in Toronto last week. Mrs. Sobell is a native American whose husband, also a native American and scientist, is in Alcatraz penitentiary, sentenced to 30 years' imprisonment.

The evidence on which he was convicted was that of a state witness for the prosecution, a self-confessed perjurer whose story was not supported by any other evidence at all. But the charge was atomic espionage, the names with which the perjurer's story linked Morton Sobell's were those of the Rosenburgs, and the United States of American had gone off balance.

The question of Morton Sobell's degree of involvement in the espionage plot or acquaintance with the plotters may be left to his countrymen to argue. The moral for Canadians is in his trial and the manner of his conviction. He was brought to trial on the sole testimony of a self-confessed perjurer who stood to gain this own freedom by testifying acceptably. The prosecution based on this single piece of evidence was conducted by Roy M. Cohn, Senator Joseph McCarthy's talented assistant in later Washington committee work. No additional evidence supporting this witness's accusation was produced by Mr. Cohn or asked for by the judge trying the case. Yet the jury brought a verdict of guilty and the sentence of 30 years' imprisonment was given.

Professor Harold C. Urey of Chicago, the Nobel Prize winner in atomic science, was included in a list of witnesses for the prosecution published during the trial of Morton Sobell. He was never called and neither were any of the owners of other big names in science listed with his. The list was published as a gimmick to bolster the prosecution's case with the public.

The effect on Dr. Urey was to make him a leader in the fight for a new trial which is still going on. Though he knew nothing of Morton Sobell before that time, and still does not know him, he knows the issue involved for himself and his country and has stated it:

"If proper trials cannot be secured for unpopular people—and it is evident from the publicity of this trial that all those charged with crimes were unpopular—then it will become impossible to secure justice for other somewhat less unpopular people and so on until no justice is possible at all."

Other facts and the full trial record are available at:
THE NATIONAL COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
1050 Sixth Avenue New York 18, N. Y. LO 4-9585

Exhibit 12

1B696

FROM: National Committee to Secure Justice
for Morton Sobell
1050 Sixth Avenue
New York 18, N.Y.
LO 4-9585

FOR RELEASE AFTER 11 a.m.
JUNE 14, 1955

NEW EVIDENCE CHALLENGES

CASE AGAINST SOBELL AND ROSENBERGS

AUTHOR DEMANDS SPECIAL INVESTIGATION

OF ATTORNEY GENERAL'S OFFICE

NEW YORK, June 14--New evidence challenging the prosecution's case against Morton Sobell and Julius and Ethel Rosenberg was disclosed today by author John Wexley at a press conference held at the Hotel Roosevelt by the Committee to Secure Justice for Morton Sobell.

The new evidence, which the Committee said would be used together with other material in legal efforts to win a new trial for Sobell, is revealed in John Wexley's forthcoming book, "THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG" which will be published on Thursday, June 16, by Cameron and Kahn.

Mr. Wexley, who spent three years of study, analysis, and investigation of the Rosenberg-Sobell case, charged that the case contains all the recognizable elements of a political frame-up, such as existed in the Mooney case, the Sacco-Vanzetti case, and the Scottsboro case.

Mr. Wexley described what he called a startling array of perjuries, discrepancies and improbabilities which he uncovered in writing his 672-page book. Among the photostatic documents published in his book, Mr. Wexley made available the following:

(more)

Exhibit 13

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1. Official Mexican government documents revealing that Morton Sobell was kidnapped in violation of that country's immigration laws and was not legally deported as the prosecution had claimed at the trial.

2. Santa Fe Railroad timetables refuting the testimony of Harry Gold, described by the prosecution as the "necessary link in the chain that points indisputably to the guilt of the Rosenbergs." Gold had testified at the Rosenberg-Sobell trial that after having received atomic information from David Greenglass, he had traveled from Albuquerque, N. M., to New York to turn it over to a Soviet Vice Consul at a specific pre-arranged meeting. However, the timetables show conclusively that Gold could not possibly have arrived in New York in time for such a meeting.

3. A confidential inter-office memo of the O. John Rogge law firm (which represented the major prosecution witnesses), revealing that Prosecutor Irving Saypol had tried to conceal the fact that David Greenglass was being held on the notorious "Eleventh Floor" of the Tombs Prison, the floor characterized by Judge Sylvester Ryan as "Singer's Heaven." In his appeal for a new trial, the defense represented by the late attorney Emanuel Bloch, had charged that Greenglass had been lodged on "the Eleventh Floor" together with Harry Gold for many months, so that the latter could coach him in his testimony dealing with the atomic bomb. The disclosure of the Rogge memo, Mr. Wexley declared, tends to corroborate the validity of this charge.

In analyzing the prosecution's case, Mr. Wexley said that his studies, research and personal investigations led him to the

(more)

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inescapable conclusion that two innocent persons had been put to death and that a third was now suffering a living death of a 30-year sentence.

"In view of the magnitude of the injustice perpetrated in the Rosenberg-Sobell case," Mr. Wexley said, "the alarming facts disclosed in this book necessitate an immediate study by the members of the General Judiciary Committee with the purpose of initiating a thorough investigation of the conduct of the Attorney General's office and the Department of Justice with respect to the Rosenberg-Sobell case."

John Wexley is the author of the classic drama on capital punishment, "THE LAST MILE," and of the Theatre Guild play "THEY SHALL NOT DIE" based on the Scottsboro case. Among the screenplays he has written are "CONFESSIONS OF A NAZI SPY," "THE LONG NIGHT," "ANGELS WITH DIRTY FACES" and "HANGMEN ALSO DIE."

This week marks the second year since the executions of Julius and Ethel Rosenberg. In many cities throughout the country, meetings are being held to urge a new trial for Morton Sobell. In New York, a meeting will be held in Carnegie Hall, Thursday, June 16 at 8 p.m.

\# # #

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the Judgment of Julius and Ethel Rosenberg

by John Wexley

JACKET DESIGN
By ROCKWELL KENT

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THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG, published by Cameron and Kahn, will surely be considered the classic, definitive work on the world-important case with which it deals.

Author John Wexley, in relentlessly probing the Rosenberg-Sobell case, has interviewed scores of participants, traveled the same routes which the key prosecution witnesses said they traveled, and checked and double-checked every aspect of their stories. He has sifted the personalities and psychological motivations of every major character. As a result, he has uncovered important new evidence of fraud and perjury in the prosecution's case against the Rosenbergs and Morton Sobell.

He has woven all this together with painstaking documentation, dramatic impact and suspense. Mr. Wexley writes with the combined qualities of a dramatist, a legal authority, an historian, a political analyst, a psychologist, and an expert investigator.

John Wexley's whole creative life was a preparation for this book, for he has always been profoundly concerned with the problems of justice. His first play, THE LAST MILE, a study of capital punishment, had a foreword by Warden Lawes of Sing Sing attesting to its authenticity and significance. His play, THEY SHALL NOT DIE, dramatized the Scottsboro frame-up. As author of the screen play, CONFESSIONS OF A NAZI SPY, he investigated methods of espionage.

THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG is a brilliant analysis of the case and a meaningful reflection of our times which generations of readers and scholars will turn to in years to come.

JOHN WEXLEY

IB 696

You, the Jury:

The author has written this book so that every reader will be in a position to analyze and evaluate the evidence and thus assume the role of a juror in the case. The reader-juror will find answers to such questions as the following:

What pressures and fears drove a brother to send his own sister to her death, and made a man send his best friend, Morton Sobell, to a living death of 30 years in Alcatraz?

What were the pathological phantasies admitted at a previous trial by Harry Gold which were never revealed to the Rosenberg jury?

Why has the general public been led to accept the authenticity of Dr. Klaus Fuchs as the foremost atomic spy, solely on his own confession that of a self-styled controlled schizophrenic?

How was the guilt-by-association evidence of the ubiquitous Elizabeth Bentley utilized to provide political motive, even though it never connected the Rosenbergs and Sobell with the crimes charged?

Why was testimony admitted as evidence against the Rosenbergs from a photographer who was later exposed as a perjurer in a sworn affidavit by an FBI agent?

What were the roles of Prosecutor Saypol and his confidential assistant, Roy M. Cohn, and what went on before the trial between the prosecution and the attorney for the principal government witnesses?

How did *United States* officials illegally arrange for *Mexican deportation* of Morton Sobell?

Why did the Columbia Law Review state that "the rights of the Rosenbergs did not receive the precise and extensive consideration that must characterize the administration of the criminal law"?

And why did Justice Hugo Black declare that the Supreme Court of the United States had "never reviewed the record of this trial and therefore never affirmed the fairness of this trial"?

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The Judgment of Julius and Ethel Rosenberg

(672 pages, including photostats of vital documents)

PRICE: $5.6

What John Wexley's Book Can Do For America...

- It will help free Morton Sobell from the living death of Alcatraz, where he is completing the 5th year of the 30-year sentence pronounced by Judge Kaufman.
- It will help make known the truth about the most important political trial of our generation and vindicate the Rosenbergs.
- It will help restore America to the path of reason and justice by illuminating the entire era of false witnesses and fraudulent trials.

We ask you not only to BUY this book We ask you to SELL it!

THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG is not only exciting reading, but also MUST reading for you, for each of your acquaintances, and for important leaders in your community. So that millions of people may learn the facts revealed in this book, everyone with a passion for justice must become a distributor of this giant among books.

HOW MANY COPIES WILL YOU ORDER TODAY?

SOBELL COMMITTEE
Room 2
1050 Sixth Ave.
New York City 18, N. Y.

Please send me _____ copies of (The Judgment of Julius and Ethel Rosenberg). Enclosed find $ _____

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Note: Checks may be made payable to the SOBELL COMMITTEE or to SARAH LICHTENBERG.

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Committee To Secure Justice For Morton Sobell

940 BROADWAY, NEW YORK 10, N. Y.

Algonquin 4-9983

Dear Friend:

This holiday season my heart is filled with hope that my son, Morton Sobell, will soon be home again.

It is encouraging to tell you that Morton's attorneys are planning to begin appeals for a new trial in the coming weeks.

To all who have aided our efforts in the past, I say thank you. Through your help we continue to make progress in our search for new evidence, in beginning to have Morton's case discussed in the press, and in reaching thousands of people with the facts.

We are counting on you, who love humanity and justice, to help even more now. I know that in the improving atmosphere my son can win a new trial. How soon he comes home depends on how hard we work.

I am traveling and speaking throughout the country to increase support and raise the funds needed in greater and greater amounts as our opportunities grow.

I will not rest until Morton is home. I ask you not to rest either. For my son, for justice in America, please mail as generous a contribution as you can in the enclosed return envelope. Checks may be made payable to me or to the SOBELL COMMITTEE.

Faithfully yours,

Rose Sobell

Mrs. Rose Sobell

P.S. Our committee would like you to have the enclosed poems of Morton's wife, Helen.

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Committee To Secure Justice For Morton Sobell

940 BROADWAY (Entrance on 22nd Street) NEW YORK 10, N. Y.

ALgonquin 4-9983

Dear Sir:

We are enclosing for your study a reprint of an article we believe to be of the utmost importance to justice in our country--a review which the distinguished Western Political Quarterly published of the new book by John Wexley dealing with the Rosenberg-Sobell case. The review's conclusion presents a vigorous challenge to the Attorney General's Office. Also enclosed are summaries of other comments on this book raising equally serious questions about the case.

If you have read Mr. Wexley's book and have not yet expressed your views, we are anxious to hear any comment that you may have, particularly with reference to the part of the case concerning Morton Sobell. If you have not yet read Mr. Wexley's book, we urge you to do so at your earliest convenience.

Complimentary copies are available for review in newspapers or other publications. Otherwise, copies may be obtained from our committee at the special price of $4.50. The book, which is 672 pages, retails for $6.--.

We believe a full discussion of Mr. Wexley's material is of great importance at this moment in view of Morton Sobell's efforts to obtain a new trial to prove his innocence.

Very sincerely yours,

Theodore Jacobs

Theodore Jacobs
Public Relations

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Some comments on

"THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG"

by John Wexley

ELMER DAVIS, radio commentator and author: "Assuming that the record is here correctly cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Elitcher and the Greenglasses, or much if any of that of Harry Gold."

JAMES H. WOLFE, Former Chief Justice of the State of Utah: "It will stand as a work of reference and decide many undecided points as they arise in this tragic case."

INDIANAPOLIS NEWS: "...He raises an awful doubt that perhaps justice wasn't done, that a political frameup was successfully pulled off."

NEW YORK POST: "Whether Sobell should have been convicted on the meagre record against him...whether the tactics of the prosecution or the demeanor of the judge impaired the fairness of the proceedings, whether the defendants were convicted and sentenced on a record which might not have produced the same result in calmer times--all these are real issues which call for honest appraisal."

CLEVELAND CALL AND POST: "Some day, when the Rosenberg case has taken its place in history with the Dreyfus case in France, and the Scottsboro and similar cases here, copies of Wexley's remarkable work will be very difficult to obtain."

MALCOLM SHARP, professor of law, University of Chicago: "...should help us prepare at least to do what we can to right the existing wrong to Mr. Sobell, and in doing so to vindicate as far as possible our own intelligence, humanity and courage."

THE NATION: "It is Wexley's careful analysis of the complex pre-trial factual situation, and of the trial itself that enables him to provide the reader with a clear and satisfactory account of the case."

BRETT HALLIDAY, mystery writer: "This is an exceptionally well-documented book. Hardly a page does not carry one or more footnotes citing sources. The appendices are full and well chosen, and the book is carefully indexed."

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WALTER MILLIS, editor of "The Forrestal Diaries" and former editorial writer for the N.Y. Herald Tribune: "The evidence on which Morton Sobell was convicted was probably perjurious; if it were legally possible, the case ought to be reviewed on its merits, while in any event the 30-year sentence was grossly disproportionate to any crime actually attested against him."

MARGOT JACKSON, Akron Beacon Journal: "The people in this book--some free now, two executed, one in Alcatraz for life--become blood-and-breathing persons. The chain of events knotted here is as taut as any cloak-and-dagger story. But this one wrenches the mind, for the whole question remains: How was justice served?"

W. DEWITT MANNING, Rochester Democrat and Chronicle: "Inevitably, as time passes, discussion is heard concerning the possibility that in the trial and execution of Julius and Ethel Rosenberg, the net result has been to create two martyrs. In his monumental work, 'The Judgment of Julius and Ethel Rosenberg', John Wexley, author of a number of outstanding books, presents detailed findings concerning the conduct of the trial and numerous comments on the character of witnesses whose testimony was presented. He also suggests disturbing implications with regard to the cold war and national hysteria."

FRANK HAINS, The Clarion-Ledger--Jackson (Mississippi) Daily News: "This exhaustive (and often exhausting) study of the trial record and the Columbia Law Review summary would seem to indicate that there was not the proof 'beyond a shadow of a doubt' which the law demands; that the Rosenbergs were not convicted by the evidence against them, but by the temper of the times. Whether or not they were guilty in fact is a question which may never be answered."

PROF. FRANCIS D. WORMUTH, Western Political Quarterly (published by the University of Utah): "Obviously the Department of Justice cannot answer all criticisms. But unless it answers Mr. Wexley's we must conclude that the Rosenberg case is our Dreyfus case, outdoing the first in sordidness, cruelty, and terror."

BROOKLYN JEWISH EXAMINER: "The Rosenbergs are beyond the power of justice, but their alleged accomplice, Morton Sobell, is in Alcatraz, serving a 30-year term. An investigation and a re-trial would seem warranted on the basis of Mr. Wexley's disclosures."

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The Judgment of Julius and Ethel Rosenberg. By JOHN WEXLEY. (New York: Cameron & Kahn. 1955. Pp. xiv, 672. $6.00.)

This book describes with a mass of detail the Rosenberg case, one of the most fascinating and significant trials of our generation. The author concludes that the Rosenbergs were entirely innocent.

This reviewer was advised that no one could review the book without reading the court record. He has been able, however, only to read the court opinions (195 F.2d 583, 200 F.2d 666, 10 F. Supp. 798, 10 F. R. D. 521, 345 U.S. 939, 345 U.S. 1003, 346 U.S. 271, 346 U.S. 273) and the note in 54 *Columbia Law Review* 219 (1954). But an impossibly conscientious reviewer could not be satisfied with reading the record: it would be much more important to duplicate all of Mr. Wexley's independent researches. And should not the reader of the review also read the record and repeat the investigation, rather than trust the reviewer's report? None of this is feasible. If Mr. Wexley has misquoted the record or misstated fact, we may expect corrections to be forthcoming from interested parties. In the meantime, here is the gist of the story as Mr. Wexley tells it.

Harry Gold was a laboratory assistant who was recruited as a Soviet espionage agent in 1932 by one Tom Black of Jersey City. Black carried a pet black snake coiled about his neck and tossed marbles to a pet crow which caught them in flight. Gold loathed communism and refused to join the Communist party, but to escape Black's importunities and to repay Black for finding him a job he agreed to the lesser course of serving as a Russian spy. Thereafter he dealt with a series of Soviet agents, all six feet

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two, blond, and with determined features; only one of them, however, walked on the balls of his feet with a catlike tread. In 1950 he confessed to being Klaus Fuchs' American contact; after Gold's confession Fuchs identified Gold. (Fuchs had previously rejected the photograph of Gold and had identified another man; Gold's appearance did not match Fuchs' description; Gold's story was at variance with Fuchs' in vital respects.)

Gold also had a private life. He fell in love with a beautiful girl named Helen with one brown and one blue eye, but she married a wealthy manufacturer of peanut-chew candy named Frank. Then, to save her from a white slaver, he married a "comely, good-looking young lady" named Sarah. Sarah bore him two lovely children, but later transferred her affections to a wealthy realtor. Thereafter Gold wistfully watched his children from afar as they played in the park. (Gold was never married.)

David Greenglass was a member of the Young Communist League, a graduate of public school and a trade school, and an automobile mechanic. To better himself he enrolled in the Brooklyn Polytechnic High School but failed all eight of his eight technical courses. When he was drafted he was assigned to the machine shop at Los Alamos. At Los Alamos he stole a bit of uranium "as a souvenir," and also stole Army tools and supplies which he sold on the black market. This much appears to be undisputed. At his trial he asserted that because of his admiration for his brother-in-law Julius Rosenberg he readily acceded to the latter's suggestion that he steal atomic secrets. He thereupon pumped the scientists at Los Alamos, and on the basis of their disclosures and his own observations was able to draft accurate sketches and to supply explanatory matter on a "high explosive lens" when Gold called on him in Albuquerque on June 3, 1945. Gold was making a tour: he had just collected material from Fuchs in Santa Fe. (Fuchs' own testimony was that his only contact with a Soviet agent in America was in Boston in February, 1945.) Gold then returned by rail to New York in two days; apparently he arrived many hours before the fastest train.

While on furlough in September, 1945, Greenglass prepared for Rosenberg a cross-section of the Nagasaki bomb and a twelve-page explanation. Ethel Rosenberg, according to Greenglass and his wife, typed the notes. At his trial in 1951 Greenglass brought into court what he swore was an accurate copy, reproduced from memory, of what he had transmitted in 1945. Several atomic scientists subsequently swore that it was impossible for a man of Greenglass' attainments to have prepared the first sketch in 1945, to say nothing of reproducing it in 1951. Mr. Wexley too is incredulous: he suggests that Greenglass was coached during the nine months he was held in the Tombs before the case was brought to trial.

Julius Rosenberg was an engineer who married Ethel, the sister of David Greenglass, in 1939. In 1945 he was dismissed without a hearing from a plant manufacturing equipment for the Signal Corps on the charge that he was a Communist. In 1946 he went into business with the two Greenglass brothers, Bernard and David, but the business was not successful and in 1949 the two Greenglasses withdrew. Rosenberg undertook to buy them out but was unable to make the payments he had promised. During the time that Rosenberg was struggling with these financial difficulties, and spending an average of $30 a year on his wife's clothes, he was also, according to Ruth Greenglass, David's wife, spending $50-$75 a night in night clubs; and he was able in 1950 to supply David Greenglass, who was bitter because Rosenberg owed him $1,000, with $5,000 to flee the country.

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Morton Sobell was also an engineer, a college classmate of Julius Rosenberg. In 1950 he made a vacation trip with his family to Mexico City. He later said that he meant to explore opportunities there because of the growing atmosphere of repression in the United States, but all the evidence indicates that he intended to return to the United States before making a final move. While he was in Mexico City the Korean war broke out, and Sobell did a very peculiar thing. He made a trip under a series of assumed names to Tampico to inquire about transportation to South America or Europe. When he returned to Mexico City he was kidnapped and was delivered to the FBI officers waiting for him at Laredo, Texas. As it turned out, the only testimony against him was that of his best friend, Max Elitcher.

Elitcher was a college classmate of Rosenberg and Sobell; he had few friends but knew Sobell well and had a nodding acquaintance with Rosenberg. With Sobell, Elitcher went to work for the Navy Department, and he signed a perjured loyalty statement disclaiming membership in the Communist party. By 1947 he was very apprehensive and believed that FBI men were following him everywhere. He became the patient of a psychiatrist in 1948 and continued for two years; he gave up the psychiatrist in 1950 when he became a government witness.

At the Rosenberg trial Elitcher testified that in June, 1944, his casual acquaintance Rosenberg visited him and in less than half an hour enlisted his services as a Soviet spy. Elitcher never delivered any secrets, but continued to enjoy Rosenberg's confidence. He had two functions at the trial: to allege that Sobell had dealings with Rosenberg; and to lay the ground for the introduction of the "blonde spy queen," Elizabeth Bentley, who testified to the nature of the "Communist conspiracy" and asserted that her paramour Golos had received messages from an unidentified "Julius."

Here is the sequence of events. In 1947 Harry Gold and his employer, Abraham Brothman, were brought before a federal grand jury to inquire into Brothman's relations with the Soviet purchasing agency, Amtorg. The grand jury found "no bill." On February 3, 1950, Klaus Fuchs made his voluntary confession. On May 23 Harry Gold confessed. On June 15 David Greenglass was arrested. On July 17 Julius Rosenberg was arrested. On July 29 Brothman was arrested on the charge that he had conspired with Gold to frustrate the grand jury investigation. On August 11 Ethel Rosenberg was arrested. On August 18 Morton Sobell was kidnapped. In November Brothman was tried and convicted on the testimony of Harry Gold and Elizabeth Bentley. Gold was sentenced for espionage in December on his own confession. He was now an accredited spy. The Rosenbergs were brought to trial for conspiracy to commit espionage on March 6, 1951 and were convicted on the testimony of Gold, David and Ruth Greenglass, and Max Elitcher, and were sentenced to death. Morton Sobell was sentenced to thirty years in prison. The next two years were occupied by legal maneuvers and appeals for clemency from the Pope, thousands of ministers, Albert Einstein, Harold Urey, and others. Justice Douglas' last-minute stay of execution on June 17, 1953 was vacated by the Supreme Court on June 19, in time to permit the scheduled electrocution the same evening.

Both the Brothman case and the Rosenberg case were prepared for trial by Roy Cohn and Irving Saypol. Both cases were tried before Judge Kaufman. Both Greenglass and Elitcher were represented by O. John Rogge. Greenglass was sentenced to fifteen years; Elitcher was never brought to

18698

trial. Mr. Wexley points to the generous spacing between the successive arrests and the indictments and the trial to suggest that pressure was being put upon the witnesses to elaborate their stories and that time was afforded to permit them to co-ordinate them. He disbelieves the testimony for the prosecution altogether. Certainly the word of a psychopathic liar like Harry Gold can carry no weight, and it is beyond belief that any responsible espionage organization would choose such a man for even the smallest task, to say nothing of the greatest spy operation in history. To believe Greenglass' testimony we must assume that an automobile mechanic who failed all his high school science courses could piece together the supposed disclosures by scientists and his alleged stolen glimpses into a workable atomic bomb, that he could draw an accurate plan of the bomb, and that he could repeat the feat from memory nearly six years later. This reviewer finds this as incredible as did Harold C. Urey. But what kind of pressure could have been put on the witnesses to make them testify? Probably Gold needed no pressure; his reward was public attention. Greenglass' wife thought him unstable, but it seems unlikely that he was so pronounced a case as Gold; and the threat of prosecution for stealing uranium and Army supplies could hardly induce him to plead guilty to the more serious crime of espionage. Likewise it appears that Elitcher must have been moved by something more substantial than a bad conscience. We cannot dismiss the possibility that Greenglass and Elitcher may have been guilty of very serious crimes.

In the Court of Appeals Judge Jerome Frank observed that if the testimony of the Greenglasses were disregarded, "the conviction could not stand. But where trial is by jury, this court is not allowed to consider the credibility of witnesses or the reliability of testimony." Mr. Wexley has taken the case to a larger jury which may review the reliability of testimony. The publisher quotes Elmer Davis as saying of the book: "Assuming that the record is here correctly cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Elitcher and the Greenglasses, or much if any of that of Harry Gold." This means that the government had no case against the Rosenbergs. Obviously the Department of Justice cannot answer all criticisms. But unless it answers Mr. Wexley's we must conclude that the Rosenberg case is our Dreyfus case, outdoing the first in sordidness, cruelty, and terror.

FRANCIS D. WORMUTH.

University of Utah.

reprinted as a public service by

The Committee to Secure Justice for Morton Sobell
940 Broadway, N. Y. C. AL 4-9983

1B 698

Justice for Morton Sobell and for America

Waldo Frank, eminent author, has said: "Sobell is a symbol of our responsibility, and of our danger, of the tragic danger to America if we permit this injustice to be done."

WHAT YOU CAN DO

1. Ask for an investigation! The U.S. Senate Sub-Committee on Constitutional Rights is investigating violations of the Bill of Rights. People throughout the country are writing to request that the Sobell case be included on the sub-committee's agenda. Won't you join this request? Write to:

Senator Thomas C. Hennings, Jr., Chairman
Senate Sub-Committee on Constitutional Rights
U.S. Senate Office Building
Washington, D. C.

2. Contribute to the Sobell Fund! Contributions are urgently needed to provide for Morton Sobell's legal appeals for a new trial and for distributing information on the case throughout the country. Contribute as generously as you can. Fill out the coupon below and mail it with your contribution.

MRS. MORTON SOBELL
Committee to Secure Justice for Morton Sobell
940 Broadway
New York City, N. Y.

☐ Please send me more information on the Sobell case.

Enclosed find $.....contribution to provide for Morton Sobell's legal appeals for a new trial and for informing the public of the facts.

Name .....

Address .....

City..... Zone..... State.....

*Checks may be made payable to Mrs. Morton Sobell or to the SOBELL COMMITTEE.

57D

21

"INNOCENT!"

This is Mrs. Morton Sobell speaking to you

My husband, MORTON SOBELL is in Alcatraz — But he is innocent — there is no evidence —

Will You Help Right This Wrong?...

100-107111-1B699

Convicted without evidence!

• My husband Morton Sobell, now 37 years old, is a scientist. He was arrested in 1950 while we were vacationing in Mexico with our two children. The prosecution claimed my husband had fled the country and was deported by the Mexican government. Documentary evidence proves we were in Mexico legally and that we were preparing to return home when we were unlawfully kidnapped with the knowledge of U. S. authorities who wanted it to appear that my husband was fleeing.

• My husband was accused of "conspiracy to commit espionage," and brought to trial with Ethel and Julius Rosenberg in 1951. He was condemned to 30 years in prison. From the day of his arrest the prosecution fed sensational stories to the newspapers with accusations that were never supported in court. He was falsely accused of being an "atom spy," even though Judge Kaufman later said to my husband in court: "The evidence in the case did not point to any activity on your part in connection with the atomic bomb project." No 12 jurors, who had for nine months been exposed to such inflammatory statements, could sit in judgment on my husband without prejudice.

• When the trial finally took place there was *not a shred of evidence* to prove espionage by my husband. There was only the word of one "witness" — Max Elitcher. Judge Kaufman said in his charge to the jury: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."

• Elitcher admitted under oath that he had sworn falsely on an affidavit, that he was afraid of a possible perjury sentence and that he hoped to escape prosecution by appearing against my husband.

• From the day of his arrest my husband has been pressured to "confess" that he and the Rosenbergs were guilty. When he continued to appeal for a new trial, he was sent to Alcatraz, the prison reserved for hardened and dangerous criminals, 3000 miles from me and the children and from the help of our attorney.

• Since the trial, vital new evidence has been uncovered. A continued investigation constantly discloses more evidence in support of his plea of innocence. Such evidence includes documents showing that the prosecution witnesses knowingly committed perjury. Our attorneys are using this material in preparing appeals for a new trial.

• The Attorney General's Office has, to date, successfully prevented the Supreme Court from even once reviewing the case. Should a man be imprisoned in Alcatraz when there is so much proof of his innocence?

MRS. MORTON SOBELL

AMERICA'S CONSCIENCE SPEAKS

U.S. SENATOR WILLIAM LANGER:
"I pledge that everything I can do as a member of the Judiciary Committee of the U. S. Senate will be done to see that Morton Sobell gets justice."

DR. HAROLD C. UREY, *atomic scientist and Nobel Prize winner:*
"The integrity of justice as it is administered in the United States is at stake . . . Mr. Sobell was not properly tried and the verdict and sentence were not justified."

JUDGE JEROME N. FRANK *of the Circuit Court of Appeals in a dissenting opinion:*
". . . There was error, in this respect, which requires that Sobell be given a new trial."

ELMER DAVIS, *radio commentator and author, said of the prosecution's witnesses in the Rosenberg-Sobell trial after reading the new book, "The Judgment of Julius and Ethel Rosenberg":*
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JUDGE PATRICK H. O'BRIEN, *Detroit, Michigan:*
". . . In accordance with our inheritance as a liberty-loving nation, I urge the immediate release of Morton Sobell."

NANCY F. WECHSLER, NEW YORK POST:
"Whether Sobell should have been convicted on the meager record against him . . . whether the tactics of the prosecution or the demeanor of the judge impaired the fairness of the proceedings, whether the defendants were convicted and sentenced on a record which might not have produced the same result in calmer times — all these are real issues which call for honest appraisal."

WARREN K. BILLINGS, *who was framed with Tom Mooney, served 23 years in prison and was freed when his innocence was proved:*
"The district attorney threatened me that if I didn't testify against Tom Mooney he would hang Mooney and me too. They let Morton Sobell know that if he didn't testify against the Rosenbergs, he would be put in Alcatraz. But Morton Sobell doesn't have anything to testify any more than I did."

CAREY McWILLIAMS, THE NATION:
"Apart from the fact that Elitcher was 'on the hook' for having previously falsified an affidavit, his testimony is inherently incredible."

PROF. STEPHEN S. LOVE, *professor of law, Northwestern University:*
"The 30-year sentence imposed upon Morton Sobell is a blight upon the reputation of American justice."

JB691

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940 Broadway
New York City, N. Y.

Brick Art Rally Carnegie Hall (Lobby)

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4-1-55 P.M.A.

Name.....

Address.....

City..... Zone..... State.....

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This is Mrs. Morton Sobell speaking to you:

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Will You Help Right This Wrong?...

100-147111-18201

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"The 30-year sentence imposed upon Morton Sobell is a blight upon the reputation of American justice."

100-107111-1B 701

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100-107111-15203

Committee To Secure Justice For Morton Sobell

940 BROADWAY (Entrance on 22nd Street) NEW YORK 10, N. Y.

Algonquin 4-9983

SPECIAL BULLETIN

Our attorneys have informed us that they are now prepared to proceed in the courts in April to demand a new trial for Morton Sobell. They have just returned from Mexico where one phase of the investigation has been completed. Currently they are preparing their motion which will include documentary and other evidence.

This means that, in addition to meeting the costs involved in going to court, we must be in a position to do a tremendous job of circulating the court brief and reproductions of all evidence throughout the country. No effort and no expense must be spared in putting this new evidence before the nation.

Moreover, this court motion will represent but one phase of the detailed job of investigation still going on. There are other avenues of inquiry that must be followed up as rapidly as possible to lay bare the whole truth. You will agree that money must not be an obstacle.

WE THEREFORE APPEAL TO YOU AT THIS TIME TO EXERT EVERY EFFORT WITHIN THE NEXT WEEK TO SEND AS MUCH MONEY AS HUMANLY POSSIBLE TO THE NATIONAL OFFICE IN ORDER TO FULFILL THIS TASK.

It is impossible to do the job unless funds are immediately available. Whether it is done depends on the immediate response by our committees and individual supporters. We know you will come through.

Helen Sobell
Helen Sobell

David Alman
Dave Alman

Aaron Schneider
Aaron Schneider

Ted Jacobs
Ted Jacobs

FOR THE COMMITTEE

b7D

100-107111-18702

Committee To Secure Justice For Morton Sobell

940 BROADWAY, NEW YORK 10, N. Y.
Algonquin 4-0000

November 4, 1955.

Dear Friend:

On November 1st our Committee moved to a new and larger office at 940 Broadway (22 St. and Broadway). This move was necessitated by the fact that the building in which we formerly occupied space is being torn down, and because our increased activity compelled us to expand our office space itself. Among other things, we are in the process of finding two new organizers, one to cover upper New York State and New England, the other to work in Illinois, Ohio, Michigan and Wisconsin.

Moving to a new office is not a particularly important matter, but it does give us an opportunity to remind you of the enormous financial load carried by the national committee. Our legal fees, investigation fees, printing, mailing (even moving fees), ads awaiting funds for release, "saturation" of a selected number of key newspapers around the country with books going to entire editorial staffs, to the leadership of important national civil liberties and religious and labor groups, travel and organizing expenses - we could go on and on and on. And we need help. This campaign will grow.

We have a two year lease at our new office. With your help we will not have to renew it.

Sincerely,

David Alman

David Alman
FOR THE COMMITTEE

100-10714-18703

Committee To Secure Justice For Morton Sobell

940 Broadway, New York City, N.Y.
AL 4-9983

KEFAUVER COMMITTEE AND THE SOBELL CASE

It is a heartening development, a sign of a new spirit in our country, that the Senate Sub-Committee on Constitutional Rights is holding hearings on the status of liberties in our country. It brings hope that the high repute of Congressional Investigations may be restored.

For the past two years our committee has sought an objective investigation of the case of Morton Sobell, who is imprisoned in Alcatraz. Morton Sobell, sentenced in 1951 to 30 years on a "conspiracy to commit espionage" charge in the Rosenberg-Sobell trial, maintains his absolute innocence and is seeking a new trial. Many eminent persons have expressed views that he did not have a trial that meets the standards of American justice.

Between the time of his arrest and the trial Morton Sobell was convicted in the public press by the Attorney General's Office. To have asked twelve jurors, who had for nine months been exposed to the inflammatory statements and accusations on the case, to make a dispassionate appraisal of the testimony that finally was given in the trial, was to place an impossible task on them. In addition, new information regarding the testimony and credibility of the prosecution witnesses makes it of the utmost importance to establish the full truth.

The truth is easier to establish today than it was yesterday. For example, Harry Gold, a key witness in the Rosenberg-Sobell case, gave testimony in June, 1955, to a jury in Dayton, Ohio, accusing another man of espionage knowledge. The 1955 jury, freed from the hysteria and headlines of 1951, would not accept the testimony of Gold, who said of himself: "I had become so tangled up in this web of lies that it was easier to continue telling an occasional one than to straighten the whole hideous mess out...It is a wonder that steam didn't come out of my ears at times." The Dayton jury disbelieved Gold and set the defendant free.

The Senate Subcommittee on Constitutional Rights has publicly announced a desire to receive suggestions concerning its future work. May we urge that you write requesting that room be left open on the Subcommittee's calendar for investigation of violations of basic rights in the case of Morton Sobell. Discuss this matter with your colleagues and your friends. Please write a personal note to:

SENATOR THOMAS C. HENNINGS, Jr.
Chairman, Senate Subcommittee on Constitutional Rights
Senate Office Building
Washington, D. C.

100-107111-18704

Committee To Secure Justice For Morton Sobell

940 BROADWAY, NEW YORK 10, N. Y.

Algonquin 4-9900

November 18, 1965.

Dear Friend:

Many people have asked for material that would be of assistance in visiting libraries to request that the Wexley book be put on the shelf.

We are enclosing reprints of a review in Library Journal, which is the main guide for libraries throughout the country. The Library Journal recommends that the Wexley book be bought. This review can also be useful in visiting universities, professors, newspapers etc. Additional copies are available.

Please keep us advised of the results of your visits.

Sincerely,

Ted Jacobs

Ted Jacobs
FOR THE COMMITTEE.

100-107111-1B705

National Committee to Secure Justice for Morton Sobell
540 Broadway, New York 10, N.Y. AL 4-[illegible]

PRESS RELEASE

FOR IMMEDIATE RELEASE

APPEAL FOR SOBELL TRANSFER

FILED WITH ALCATRAZ BOARD

NEW YORK, Nov. 19—Mrs. Morton Sobell today made public an appeal which she has filed with the Alcatraz Classification Board requesting that her husband, Morton Sobell, be transferred from Alcatraz to a regular federal prison.

The Board meets Nov. 25 to consider which prisoners should be transferred and make recommendations to the director of prisons in Washington. Morton Sobell, sentenced to 30 years for "conspiracy to commit espionage" in the Rosenberg trial, maintains his innocence and is appealing for a new trial.

Mrs. Sobell cited her husband's exemplary prison conduct and his contribution to the war effort during World War II. She submitted the text of a letter in which Sobell refused a fellowship at the University of Michigan so he could aid the war effort by working as a scientist. He was on the National Roster of Scientific and Specialized Personnel of the War Manpower Commission, and he invented a device that made a significant contribution to the functioning of servomotors. Mrs. Sobell also wrote the Classification Board:

"For our family it is a tremendous expense and a tremendous burden to visit our loved one when he is 3000 miles away from us. We have managed to visit him infrequently during these last three years when he has been in Alcatraz, but the situation becomes an increasingly difficult one.

"The five years that my husband has already been in prison has left us without his supporting arm. His father has become increasingly ill and this [illegible] for my husband's mother to make the visit to Alcatraz. [illegible] is a drain upon her energy.

100-107111-1B-706

"For my young son," Mrs. Sobell continued, "there is not only the problem that he may not see his father in Alcatraz, but that each time I must leave for my visits, his home life is disrupted.

"We who know Morton Sobell's innocence have been devoting our time and energy to securing the proof of his innocence and while this may have no place in your deliberations, nevertheless the money that must be spent to travel to Alcatraz must be taken from our legal and investigatory activities. If my husband had not been sent so far away and separated from his attorneys, I know that the legal action which is now being prepared could have taken place much sooner and my husband would now be home with his family once more.

"You know perhaps better than I my husband's exemplary record at Alcatraz and at the West Street penitentiary and the tombs. I, on a very personal basis, would like to ask you to at least send my husband to a place where we may sit in a room together and touch each others hands, and where I may bring the children to see him."

Mrs. Sobell included with her appeal copies of letters written in favor of a transfer to Prison Director James V. Bennett, and texts of speeches on the case by U.S. Senator William Langer and Dr. Harold C. Urey.

The Committee to Secure Justice for Morton Sobell is asking that the Senate Sub-Committee on Civil Rights, now holding hearings on the Bill of Rights, investigate the Sobell case to establish the full truth.

-STOP-

18706

National Committee to Secure Justice for Morton Sobell
940 Broadway, New York 10, N.Y. AL 4-5283

PRESS RELEASE

FOR IMMEDIATE RELEASE

Committee To Secure Justice For Morton Sobell

940 BROADWAY, NEW YORK 10, N. Y.

Algonquin 4-5283

Library Journal

AUGUST, 1966

National Committee to Secure Justice for Morton Sobell
940 Broadway, New York City 10, N.Y. AL 4-9983

FOR IMMEDIATE RELEASE

ALCATRAZ OFFICIALS TO GET
APPEAL FOR SOBELL TRANSFER

NEW YORK, Nov.12--An appeal for the transfer of Morton Sobell from Alcatraz will be made to the Classification Board of Alcatraz prison, which meets on Nov.25 in San Francisco.

The Board reviews the status of Alcatraz prisoners and makes recommendations for the transfer of prisoners to other federal prisons.

Mrs. Sobell will submit an appeal to the Board for transfer of her husband, who was convicted for "conspiracy to commit espionage" and is under a 30 year sentence. Sobell maintains his innocence, and is seeking a new trial. The Supreme Court has never reviewed his case.

The Committee to Secure Justice for Morton Sobell is urging that people write to the Classification Board in support of transfer. The Committee, in asking that letters be sent to the Board % Alcatraz Prison, San Francisco, Calif., said:

"It is five years since Morton Sobell has been in prison, the past three years in Alcatraz, the prison reserved for hardened criminals. In Alcatraz, 3000 miles away from his attorneys and family, Sobell has not had his rightful opportunity to [illegible] his legal appeals for a new trial.

"Sobell was not the [illegible] been sent to Alc[illegible] exemplary cond[illegible]

100-107111-18-708

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"Sobell was not the kind of prisoner who should ever have been sent to Alcatraz in the first place. But certainly, his exemplary conduct during his incarceration there merits his transfer to a regular federal prison closer to his attorney and his family."

The Classification Board consists of the warden, the prison chaplain, and other prison officials.

1B 708

Committee To Secure Justice For Morton Sobell

940 BROADWAY, NEW YORK 10, N. Y.

Algonquin 4-9983

November 14, 1955.

Dear Friend:

This will be a brief and urgent letter.

On Nov.25, the Classification Board at Alcatraz will hold its semi-annual meeting, at which they will make their [illegible]ations for transfer of various prisoners.

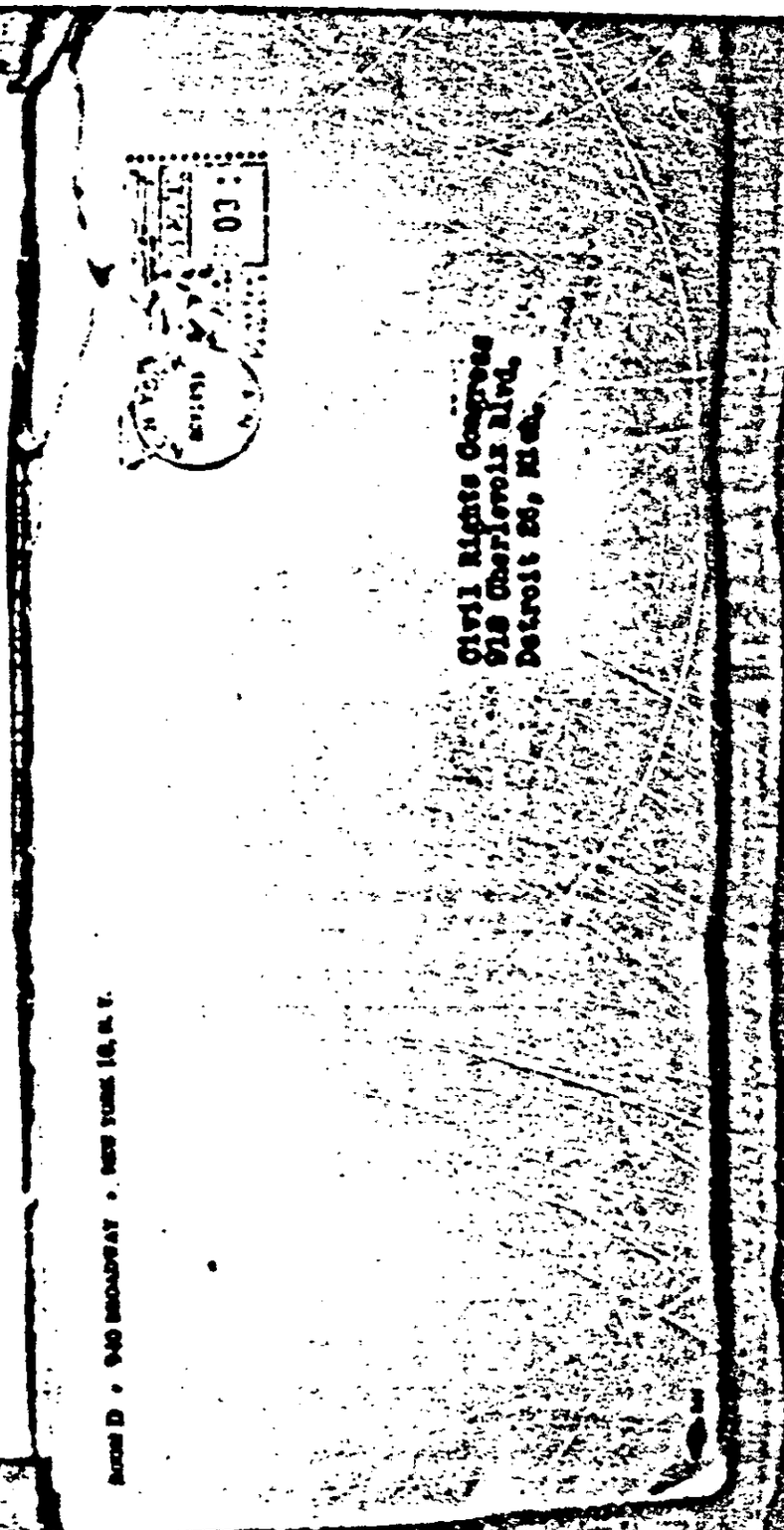
[illegible] D • 940 BROADWAY • NEW YORK 10, N. Y.

Civil Rights Congress
918 Cherlevoix Blvd.
Detroit 26, Mich.

100-10411-18409

100-16711-1B209

U.S. Senator William Langer Asks Justice for Morton Sobell



100-16711-1B209

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Algonquin 4-[illegible]

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On Nov.25, the Classification Board at Alcatraz will hold its semi-annual meeting, at which they will make their recommendations for transfer of various prisoners.

We are urging that letters go immediately to that Board and to Mr. Bennett from people in your area, particularly from lawyers, ministers and other community leaders.

We have enclosed a copy of a letter from Mrs. Sobell to various persons, for your information and guidance.

The address of the Classification Board is

The Federal Board of Classification
Alcatraz Prison
Alcatraz, California

The address of Mr.Bennett:

James V. Bennett
Director of Prisons
Department of Justice
Washington, D.C.

Sincerely,

David Alman

David Alman
FOR THE COMMITTEE

18709

COPY

Dear Friends:

I have recently been informed that the Classification Board for Alcatraz is meeting on November the 25th at that institution. I have been given permission to furnish that Board any information which I believe may have some possible bearing on my husband's, Morton Sobell's, transfer to another institution. You have been kind enough in the past to manifest some interest in this situation. I feel that particularly at this time because of many developments and because of the pending legal action there is a very real chance of securing my husband's transfer to a regular federal penitentiary. I also feel that this chance would be immeasurably increased if you would add your voice and your influence at this time.

I should like to ask you to send a letter either to me for my presentation or, if you prefer, directly to the Classification Board asking for my husband's transfer. If your letter is sent directly I would appreciate a copy of it. However, this is only a secondary consideration. If there is any other action which you feel would be beneficial at this time, I strongly urge you to use your influence in that direction.

This is my husband's sixth year in prison. Thanksgiving day will mark the completion of three years in Alcatraz. My husband's record has been an exemplary one. There has never been any justification given for his incarceration in a maximum security minimum privilege institution. Despite the unremitting pressure of Alcatraz he continues to conduct himself with dignity and with courage. I hope you will feel that your action in this respect is one not only of humanity but of justice.

Sincerely yours,

Helen L. Sobell

(Mrs Morton Sobell)

P.S. The address of the Classification Board is

Federal Board of Classification
Alcatraz Prison
Alcatraz, California.

16 707

Some comments on

"THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG"

by John Wexley

ELMER DAVIS, radio commentator and author: "Assuming that the record is here correctly cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Elitcher and the Greenglasses, or much if any of that of Harry Gold."

JAMES H. WOLFE, Former Chief Justice of the State of Utah: "It will stand as a work of reference and decide many undecided points as they arise in this tragic case."

INDIANAPOLIS NEWS: "...He raises an awful doubt that perhaps justice wasn't done, that a political frameup was successfully pulled off."

NEW YORK POST: "Whether Sobell should have been convicted on the meagre record against him...whether the tactics of the prosecution or the demeanor of the judge impaired the fairness of the proceedings, whether the defendants were convicted and sentenced on a record which might not have produced the same result in calmer times--all these are real issues which call for honest appraisal."

CLEVELAND PLAIN DEALER AND POST: "Some day, when the Rosenberg case has taken its place in history with the Dreyfus case in France, and the Scottsboro and similar cases here, copies of Wexley's remarkable work will be very difficult to obtain."

WILLOLY SHARP, professor of Law, University of Chicago: "...should help us prepare at least to do what we can to right the existing wrong to Mr. Sobell, and in doing so to vindicate as far as possible our own intelligence, humanity and courage."

THE NATION: "It is Wexley's careful analysis of the complex pre-trial factual situation, and of the trial itself that enables him to provide the reader with a clear and satisfactory account of the case."

BRETT HALLIDAY, mystery writer: "This is an exceptionally well-documented book. Hardly a page does not carry one or more footnotes citing sources. The appendices are full and well chosen, and the book is carefully indexed."

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WALTER MILLIS, editor of "The Forrestal Diaries" and former editorial writer for the N.Y. Herald Tribune: "The evidence on which Morton Sobell was convicted was probably perjurious; if it were legally possible, the case ought to be reviewed on its merits, while in any event the 30-year sentence was grossly disproportionate to any crime actually attested against him."

MARGOT JACKSON, Akron Beacon Journal: "The people in this book--some free now, two executed, one in Alcatraz for life--become blood-and-breathing persons. The chain of events knotted here is as taut as any cloak-and-dagger story. But this one wrenches the mind, for the whole question remains: How was justice served?"

W. DEWITT MANNING, Rochester Democrat and Chronicle: "Inevitably, as time passes, discussion is heard concerning the possibility that in the trial and execution of Julius and Ethel Rosenberg, the net result has been to create two martyrs. In his monumental work, 'The Judgment of Julius and Ethel Rosenberg', John Wexley, author of a number of outstanding books, presents detailed findings concerning the conduct of the trial and numerous comments on the character of witnesses whose testimony was presented. He also suggests disturbing implications with regard to the cold war and national hysteria."

FRANK HAINS, The Clarion-Ledger--Jackson (Mississippi) Daily News: "This exhaustive (and often exhausting) study of the trial record and the Columbia Law Review summary would seem to indicate that there was not the proof 'beyond a shadow of a doubt' which the law demands; that the Rosenbergs were not convicted by the evidence against them, but by the temper of the times. Whether or not they were guilty in fact is a question which may never be answered."

PROF. FRANCIS D. WORMUTH, Western Political Quarterly (published by the University of Utah): "Obviously the Department of Justice cannot answer all criticisms. But unless it answers Mr. Wexley's we must conclude that the Rosenberg case is our Dreyfus case, outdoing the first in sordidness, cruelty, and terror."

BROOKLYN JEWISH EXAMINER: "The Rosenbergs are beyond the power of justice, but their alleged accomplice, Morton Sobell, is in Alcatraz, serving a 30-year term. An investigation and a re-trial would seem warranted on the basis of Mr. Wexley's disclosures."

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The Western Political Quarterly

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Salt Lake City, Utah

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The Judgment of Julius and Ethel Rosenberg. By John Wexley. (New York: Cameron & Kahn. 1955. Pp. xiv, 672. $6.00.)

This book describes with a mass of detail the Rosenberg case, one of the most fascinating and significant trials of our generation. The author concludes that the Rosenbergs were entirely innocent.

This reviewer was advised that no one could review the book without reading the court record. He has been able, however, only to read the court opinions (195 F.2d 583, 200 F.2d 666, 10 F. Supp. 798, 10 F. R. D. 521, 345 U.S. 939, 345 U.S. 1003, 346 U.S. 271, 346 U.S. 273) and the note in 54 *Columbia Law Review* 219 (1954). But an impossibly conscientious reviewer could not be satisfied with reading the record: it would be much more important to duplicate all of Mr. Wexley's independent researches. And should not the reader of the review also read the record and repeat the investigation, rather than trust the reviewer's report? None of this is feasible. If Mr. Wexley has misquoted the record or misstated fact, we may expect corrections to be forthcoming from interested parties. In the meantime, here is the gist of the story as Mr. Wexley tells it.

Harry Gold was a laboratory assistant who was recruited as a Soviet espionage agent in 1932 by one Tom Black of Jersey City. Black carried a pet black snake coiled about his neck and tossed marbles to a pet crow which caught them in flight. Gold loathed communism and refused to join the Communist party, but to escape Black's importunities and to repay Black for finding him a job he agreed to the lesser course of serving as a Russian spy. Thereafter he dealt with a series of Soviet agents, all six feet

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two, blond, and with determined features; only one of them, however, walked on the balls of his feet with a catlike tread. In 1950 he confessed to being Klaus Fuchs' American contact; after Gold's confession Fuchs identified Gold. (Fuchs had previously rejected the photograph of Gold and had identified another man; Gold's appearance did not match Fuchs' description; Gold's story was at variance with Fuchs' in vital respects.)

Gold also had a private life. He fell in love with a beautiful girl named Helen with one brown and one blue eye, but she married a wealthy manufacturer of peanut-chew candy named Frank. Then, to save her from a white slaver, he married a "comely, good-looking young lady" named Sarah. Sarah bore him two lovely children, but later transferred her affections to a wealthy realtor. Thereafter Gold wistfully watched his children from afar as they played in the park. (Gold was never married.)

David Greenglass was a member of the Young Communist League, a graduate of public school and a trade school, and an automobile mechanic. To better himself he enrolled in the Brooklyn Polytechnic High School but failed all eight of his eight technical courses. When he was drafted he was assigned to the machine shop at Los Alamos. At Los Alamos he stole a bit of uranium "as a souvenir," and also stole Army tools and supplies which he sold on the black market. This much appears to be undisputed. At his trial he asserted that because of his admiration for his brother-in-law Julius Rosenberg he readily acceded to the latter's suggestion that he steal atomic secrets. He thereupon pumped the scientists at Los Alamos, and on the basis of their disclosures and his own observations was able to draft accurate sketches and to supply explanatory matter on a "high explosive lens" when Gold called on him in Albuquerque on June 3, 1945. Gold was making a tour: he had just collected material from Fuchs in Santa Fe. (Fuchs' own testimony was that his only contact with a Soviet agent in America was in Boston in February, 1945.) Gold then returned by rail to New York in two days; apparently he arrived many hours before the fastest train.

While on furlough in September, 1945, Greenglass prepared for Rosenberg a cross-section of the Nagasaki bomb and a twelve-page explanation. Ethel Rosenberg, according to Greenglass and his wife, typed the notes. At his trial in 1951 Greenglass brought into court what he swore was an accurate copy, reproduced from memory, of what he had transmitted in 1945. Several atomic scientists subsequently swore that it was impossible for a man of Greenglass' attainments to have prepared the first sketch in 1945, to say nothing of reproducing it in 1951. Mr. Wexley too is incredulous: he suggests that Greenglass was coached during the nine months he was held in the Tombs before the case was brought to trial.

Julius Rosenberg was an engineer who married Ethel, the sister of David Greenglass, in 1939. In 1945 he was dismissed without a hearing from a plant manufacturing equipment for the Signal Corps on the charge that he was a Communist. In 1946 he went into business with the two Greenglass brothers, Bernard and David, but the business was not successful and in 1949 the two Greenglasses withdrew. Rosenberg undertook to buy them out but was unable to make the payments he had promised. During the time that Rosenberg was struggling with these financial difficulties, and spending an average of $30 a year on his wife's clothes, he was also, according to Ruth Greenglass, David's wife, spending $50-$75 a night in night clubs; and he was able in 1950 to supply David Greenglass, who was bitter because Rosenberg owed him $1,000, with $5,000 to flee the country.

Morton Sobell was also an engineer, a college classmate of Julius Rosenberg. In 1950 he made a vacation trip with his family to Mexico City. He later said that he meant to explore opportunities there because of the growing atmosphere of repression in the United States, but all the evidence indicates that he intended to return to the United States before making a final move. While he was in Mexico City the Korean war broke out, and Sobell did a very peculiar thing. He made a trip under a series of assumed names to Tampico to inquire about transportation to South America or Europe. When he returned to Mexico City he was kidnapped and was delivered to the FBI officers waiting for him at Laredo, Texas. As it turned out, the only testimony against him was that of his best friend, Max Elitcher.

Elitcher was a college classmate of Rosenberg and Sobell; he had few friends but knew Sobell well and had a nodding acquaintance with Rosenberg. With Sobell, Elitcher went to work for the Navy Department, and he signed a perjured loyalty statement disclaiming membership in the Communist party. By 1947 he was very apprehensive and believed that FBI men were following him everywhere. He became the patient of a psychiatrist in 1948 and continued for two years; he gave up the psychiatrist in 1950 when he became a government witness.

At the Rosenberg trial Elitcher testified that in June, 1944, his casual acquaintance Rosenberg visited him and in less than half an hour enlisted his services as a Soviet spy. Elitcher never delivered any secrets, but continued to enjoy Rosenberg's confidence. He had two functions at the trial: to allege that Sobell had dealings with Rosenberg; and to lay the ground for the introduction of the "blonde spy queen," Elizabeth Bentley, who testified to the nature of the "Communist conspiracy" and asserted that her paramour Golos had received messages from an unidentified "Julius."

Here is the sequence of events. In 1947 Harry Gold and his employer, Abraham Brothman, were brought before a federal grand jury to inquire into Brothman's relations with the Soviet purchasing agency, Amtorg. The grand jury found "no bill." On February 3, 1950, Klaus Fuchs made his voluntary confession. On May 23 Harry Gold confessed. On June 15 David Greenglass was arrested. On July 17 Julius Rosenberg was arrested. On July 29 Brothman was arrested on the charge that he had conspired with Gold to frustrate the grand jury investigation. On August 11 Ethel Rosenberg was arrested. On August 18 Morton Sobell was kidnapped. In November Brothman was tried and convicted on the testimony of Harry Gold and Elizabeth Bentley. Gold was sentenced for espionage in December on his own confession. He was now an accredited spy. The Rosenbergs were brought to trial for conspiracy to commit espionage on March 6, 1951 and were convicted on the testimony of Gold, David and Ruth Greenglass, and Max Elitcher, and were sentenced to death. Morton Sobell was sentenced to thirty years in prison. The next two years were occupied by legal maneuvers and appeals for clemency from the Pope, thousands of ministers, Albert Einstein, Harold Urey, and others. Justice Douglas' last-minute stay of execution on June 17, 1953 was vacated by the Supreme Court on June 19, in time to permit the scheduled electrocution the same evening.

Both the Brothman case and the Rosenberg case were prepared for trial by Roy Cohn and Irving Saypol. Both cases were tried before Judge Kaufman. Both Greenglass and Elitcher were represented by O. John Rogge. Greenglass was sentenced to fifteen years; Elitcher was never brought to

trial. Mr. Wexley points to the generous spacing between the successive arrests and the indictments and the trial to suggest that pressure was being put upon the witnesses to elaborate their stories and that time was afforded to permit them to co-ordinate them. He disbelieves the testimony for the prosecution altogether. Certainly the word of a psychopathic liar like Harry Gold can carry no weight, and it is beyond belief that any responsible espionage organization would choose such a man for even the smallest task, to say nothing of the greatest spy operation in history. To believe Greenglass' testimony we must assume that an automobile mechanic who failed all his high school science courses could piece together the supposed disclosures by scientists and his alleged stolen glimpses into a workable atomic bomb, that he could draw an accurate plan of the bomb, and that he could repeat the feat from memory nearly six years later. This reviewer finds this as incredible as did Harold C. Urey. But what kind of pressure could have been put on the witnesses to make them testify? Probably Gold needed no pressure; his reward was public attention. Greenglass' wife thought him unstable, but it seems unlikely that he was so pronounced a case as Gold; and the threat of prosecution for stealing uranium and Army supplies could hardly induce him to plead guilty to the more serious crime of espionage. Likewise it appears that Elitcher must have been moved by something more substantial than a bad conscience. We cannot dismiss the possibility that Greenglass and Elitcher may have been guilty of very serious crimes.

In the Court of Appeals Judge Jerome Frank observed that if the testimony of the Greenglasses were disregarded, "the conviction could not stand. But where trial is by jury, this court is not allowed to consider the credibility of witnesses or the reliability of testimony." Mr. Wexley has taken the case to a larger jury which may review the reliability of testimony. The publisher quotes Elmer Davis as saying of the book: "Assuming that the record is here correctly cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Elitcher and the Greenglasses, or much if any of that of Harry Gold." This means that the government had no case against the Rosenbergs. Obviously the Department of Justice cannot answer all criticisms. But unless it answers Mr. Wexley's we must conclude that the Rosenberg case is our Dreyfus case, outdoing the first in sordidness, cruelty, and terror.

FRANCIS D. WORMUTH.

University of Utah.

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The Committee to Secure Justice for Morton Sobell
940 Broadway, N. Y. C. AL 4-9983

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Rec'd outside Carnegie Hall 3-28-56

Justice for Morton Sobell and for America

Waldo Frank, eminent author, has said: "Sobell is a symbol of our responsibility, and of our danger, of the tragic danger to America if we permit this injustice to be done."

WHAT YOU CAN DO

1. Ask for an investigation! The U. S. Senate Sub-Committee on Constitutional Rights is investigating violations of the Bill of Rights. People throughout the country are writing to request that the Sobell case be included on the sub-committee's agenda. Won't you join this request? Write to:

Senator Thomas C. Hennings, Jr., Chairman
Senate Sub-Committee on Constitutional Rights
U. S. Senate Office Building
Washington, D. C.

2. Contribute to the Sobell Fund! Contributions are urgently needed to provide for Morton Sobell's legal appeals for a new trial and for distributing information on the case throughout the country. Contribute as generously as you can. Fill out the coupon below and mail it with your contribution.

MRS. MORTON SOBELL
Committee to Secure Justice for Morton Sobell
940 Broadway
New York City, N. Y.

☐ Please send me more information on the Sobell case.

Enclosed find $.....contribution to provide for Morton Sobell's legal appeals for a new trial and for informing the public of the facts.

Name .....

Address .....

City..... Zone..... State.....

*Checks may be made payable to Mrs. Morton Sobell or to the SOBELL COMMITTEE.

"INNOCENT!"

This is Mrs. Morton Sobell speaking to you:

My husband, MORTON SOBELL is in Alcatraz — But he is innocent — there is no evidence —

Will You Help Right This Wrong?...

100-107111-1895

Convicted without evidence!

18713

• My husband Morton Sobell, now 37 years old, is a scientist. He was arrested in 1950 while we were vacationing in Mexico with our two children. The prosecution claimed my husband had fled the country and was deported by the Mexican government. Documentary evidence proves we were in Mexico *legally* and that we were preparing to return home when we were unlawfully kidnapped with the knowledge of U. S. authorities who wanted it to appear that my husband was fleeing.

• My husband was accused of "conspiracy to commit espionage," and brought to trial with Ethel and Julius Rosenberg in 1951. He was condemned to 30 years in prison. From the day of his arrest the prosecution fed sensational stories to the newspapers *with accusations that were never supported in court.* He was falsely accused of being an "atom spy," even though Judge Kaufman later said to my husband in court: "The evidence in the case did not point to any activity on your part in connection with the atomic bomb project." No 12 jurors, who had for nine months been exposed to such inflammatory statements, could sit in judgment on my husband without prejudice.

• When the trial finally took place there was *not a shred of evidence* to prove espionage by my husband. There was only the word of one "witness"—Max Elitcher. Judge Kaufman said in his charge to the jury: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."

• Elitcher admitted under oath that he had sworn falsely on an affidavit, that he was afraid of a possible perjury sentence and that he hoped to escape prosecution by appearing against my husband.

• From the day of his arrest my husband has been pressured to "confess" that he and the Rosenbergs were guilty. When he continued to appeal for a new trial, he was sent to Alcatraz, the prison reserved for hardened and dangerous criminals, 3000 miles from me and the children and from the help of our attorney.

• Since the trial, vital new evidence has been uncovered. A continued investigation constantly discloses more evidence in support of his plea of innocence. Such evidence includes documents showing that the *prosecution witnesses knowingly committed perjury.* Our attorneys are using this material in preparing appeals for a new trial.

• The Attorney General's Office has, to date, successfully prevented the Supreme Court from even once reviewing the case. Should a man be imprisoned in Alcatraz when there is so much proof of his innocence?

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AMERICA'S CONSCIENCE SPEAKS

U. S. SENATOR WILLIAM LANGER:

"I pledge that everything I can do as a member of the Judiciary Committee of the U. S. Senate will be done to see that Morton Sobell gets justice."

DR. HAROLD C. UREY, *atomic scientist and Nobel Prize winner:*

"The integrity of justice as it is administered in the United States is at stake . . . Mr. Sobell was not properly tried and the verdict and sentence were not justified."

JUDGE JEROME N. FRANK *of the Circuit Court of Appeals in a dissenting opinion:*

". . . There was error, in this respect, which requires that Sobell be given a new trial."

ELMER DAVIS, *radio commentator and author, said of the prosecution's witnesses in the Rosenberg-Sobell trial after reading the new book, "The Judgment of Julius and Ethel Rosenberg":*

"Assuming that the record is here corrected cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Elitcher and the Greenglasses, or much if any of that of Harry Gold."

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". . . In accordance with our inheritance as a liberty-loving nation, I urge the immediate release of Morton Sobell."

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"Whether Sobell should have been convicted on the meager record against him . . . whether the tactics of the prosecution or the demeanor of the judge impaired the fairness of the proceedings, whether the defendants were convicted and sentenced on a record which might not have produced the same result in calmer times—all these are real issues which call for honest appraisal."

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Committee To Secure Justice For Morton Sobell

940 BROADWAY (Entrance on 22nd Street) NEW YORK 10, N. Y.

Algonquin 4-9983

April 8, 1956.

Dear Friend:

Morton Sobell is the prisoner on the conscience of America. We are on the eve of new developments in the case which can well mark the final phase in securing justice in the Rosenberg-Sobell case. Before the end of this month, the attorneys have informed us that they will enter the courts to seek a new trial for Morton Sobell. At the same time, thousands of Americans are asking the President for executive action to have the Attorney General consent to a new trial, or to pardon Morton Sobell or commute his sentence.

The court action takes place after extensive investigation into the case. New, sensational disclosures will be made.

The public must know the facts. For this purpose, there will be a meeting to discuss and disclose the new evidence. It will be at

CARNEGIE HALL, 57th and 7th Avenue

on TUESDAY, MAY 15th, 1956, 8 P.M.

Important authorities on the case will analyze and comment on the evidence of subornation of perjury by the prosecution.

Justice in the Sobell case is possible now in 1956. Tickets are $1.50 each. We ask you to order them and to mail in a contribution to make the winning of the case possible and to bring the information to millions throughout the country. Make checks payable to Helen Sobell or to the Sobell Committee.

Sincerely yours,

Aaron Schneider

Aaron Schneider
FOR THE COMMITTEE

Committee to Secure Justice for Morton Sobell
940 Broadway, New York 10, N.Y.

Enclosed find $_____ for _____ tickets for the Carnegie Hall meeting.

Please send me _____ additional tickets which I will try to sell.

Enclosed contribution of $_____ to help pay the costs of the request for a new trial for Morton Sobell.

NAME _____

ADDRESS _____

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THE NEW YORK TIMES, TUESDAY, MARCH 27, 1956

Bertrand Russell Accuses the F. B. I. Of Atrocities, Doubts Rosenbergs' Guilt

Sent to The New York Times.

LONDON, March 26.—Bertrand Russell accused the United States Federal Bureau of Investigation today of committing atrocities and of using a technique "made familiar in other police states such as Nazi Germany and Stalin's Russia."

The 83-year-old mathematician and philosopher made his charge in a letter to The Manchester Guardian. He said he was writing to enlist the paper's support for Morton Sobell, who was sentenced to thirty years in prison as an accomplice of the Rosenbergs. Julius and Ethel Rosenberg were executed in June, 1953, for giving atomic bomb secrets to the Soviet Union.

Earl Russell described Sobell as an innocent man condemned as the result of political hysteria and now incarcerated in Alcatraz, "the worst prison in the United States."

He said he had looked into the evidence in the Rosenbergs' trial and was almost certain that they were innocent. He is "quite certain" that the evidence against them would not have been considered adequate if prejudice had not been involved, he added.

Earl Russell said the "technique" used by the F. B. I. was to find a man whom it could prove guilty of some offense and then promise him immunity if he would manufacture evidence against people who could not otherwise be indicted.

"After a sufficient number of secret interviews, the F. B. I. descends upon innocent people with a posse of terrified perjurors and in the general hysteria every word uttered by the perjurors is accepted as gospel truth," he declared.

Lord Russell said the F. B. I. had hired thugs to beat Sobell into unconsciousness in Mexico and hustle him, his wife and two children to the United States border. This was done because the F. B. I. had learned of Sobell's decision to return to the United States and was determined to present him as a fugitive from justice, Lord Russell said.

At the frontier the Sobells were handed over to an immigration officer who falsely stamped their card of entry with "deported from Mexico." Earl Russell continued. He said the Mexican Government had been privy to the kidnapping and had expressed no intention of deporting them."

Sees Execution Of Rosenbergs 'FBI Atrocity'

THE TELEGRAM TORONTO

MANCHESTER—(Reuters)—Philosopher Bertrand Russell today accused the Americ... "atrocities" and ... most certain th... were innocent" of ... ing for which they were executed in 1953.

Earl Russell made the statements in a letter to the ... for Guardian ... paration" for ... ed as an accom... Julius Rosenb... bomb secrets.

In his letter ... am writing to ... port in the exa... an innocent m... a result of ... years in jail a... carcerated in A... prison in the U...

"I am ashamed ... the time of the ... I did not look i...

Bertrand Russell Accuses FBI Of Atrocities

THE GLOBE AND MAIL TORONTO

New York Times Service

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Lord Russell Blasts FBI, Stalin

Special to the New York Post

London, March 26—Bertrand Russell, eminent British philosopher, issued two pronouncements today. He attacked what he called the "atrocities" of the American FBI in the Rosenberg case and the "Marxist fraud" of Communism in Russia.

The attack against the FBI's activities in the atom-spy case was contained in a letter to the Manchester Guardian appealing for "reparation" for Morton Sobell, jailed as an accomplice of ... and Julius Rosenberg, executed ...

... who were ... years in prison ... of Julius and Ethel ... The Rosenbergs ... in June, 1953, ... secrets to the Soviet ...

... described Sobell ... man, condemned ... political hysteria ... ated in Alcatraz, ... in the ...

... him. The Spanish regime might be said, but that was ... liberal some day, certain.

MANCHESTER GUARDIAN

MONDAY MARCH 26 1956

Letters to the Editor

THE SOBELL CASE

To the Editor of the Manchester Guardian

Sir,—I am writing to enlist your support in the case of Morton Sobell, an innocent man condemned as a result of political hysteria to thirty years in gaol and at present incarcerated in Alcatraz, the worst prison in the United States. He was sentenced as an accomplice of the Rosenbergs in espionage. I am ashamed to say that at the time of the Rosenbergs' trial I did not look into the evidence. I have now done so. I am almost certain that the Rosenbergs were innocent and quite certain that the evidence against them would not have been considered adequate if prejudice had not been involved. But the Rosenbergs are dead and nothing can be done for them now except to hold up their official murderers to obloquy. Sobell, however, is alive and it is not too late for the United States Government to make some reparation to him.

The facts in his case are briefly as follows:—He had a friend named Eitcher, who had been his best man. Eitcher had stated on oath that he had never been a Communist. The F.B.I. discovered that in making this statement he had committed perjury. They let him know that he could escape punishment if he would denounce other people as accomplices in treasonable activities. He decided to save his own skin by denouncing his best friend, Sobell. While negotiations in this sense were going on between him and the F.B.I. Sobell and his wife and their two small children went to Mexico. Sobell toyed with the idea of not returning to the United States, but rejected it. His decision to return became known to the F.B.I., which had determined to present him as a fugitive from justice. In order to be still able to present him in this light, they hired thugs, who beat him into unconsciousness, hustled him and his wife and their two children into fast cars, and drove them without stopping from Mexico City to the United States frontier. There they were handed over to an immigration officer, who falsely stamped their card of entry with the words "Deported from Mexico", although the Mexican Government had not been privy to the kidnapping and had expressed no intention of deporting them.

When Sobell was brought to trial these facts were not mentioned as his counsel considered that any criticism of the F.B.I., however justified, would only increase the severity of his sentence, his condemnation being regarded by his counsel as certain in spite of lack of evidence. The judge instructed the jury that they could not find Sobell guilty unless they believed Eitcher. Eitcher, because he was useful in this trial, has never been indicted for his acknowledged perjury and, in spite of his being known to be a perjuror, every word that he said against Sobell was believed.

People express scepticism when it is said that most Germans did not know of Nazi atrocities, but I am sure that the immense majority of Americans are quite ignorant of the atrocities committed by the F.B.I. They do not know of the standard technique of these defenders of what, with cynical effrontery, they still call "The Free World." The technique is one with which we have been made familiar in other police States such as Nazi Germany and Stalin's Russia. The police find a man whom they can prove to be guilty of some offence and they promise him immunity if he will manufacture evidence against people who could not otherwise be indicted. Perjury is especially useful as a lever because many people who have been Communist in their student days rashly hope that this can be concealed and swear that they were never Communists. After a sufficient number of secret interviews the F.B.I. descends upon innocent people with a posse of terrified perjurors and in the general hysteria every word uttered by the perjurors is accepted as gospel truth.

I do not suppose for a moment that President Eisenhower is aware of this well-established technique. If he knew of it, he would not only feel the revulsion which all decent people must feel, but would realise that every such case which becomes known outside the United States turns hundreds of thousands of people, if not into Communists, at least towards neutralism and away from the policy of N.A.T.O. For this large reason of public policy, as well as from motives of humanity and justice, it is to be hoped that something will be done to curb the F.B.I. A beginning might be made by the release of Morton Sobell or, at least, by ordering a new trial of his case.—

Yours &c.,
BERTRAND RUSSELL.
41 Queen's Road, Richmond,
Surrey.

reprinted as a public service by

The Committee to Secure Justice for Morton Sobell
940 Broadway, N. Y. C. AL 4-9983

100-107111-18716

Justice for Morton Sobell and for America

Waldo Frank, eminent author, has said: "Sobell is a symbol of our responsibility, and of our danger, of the tragic danger to America if we permit this injustice to be done."

WHAT YOU CAN DO

1. Ask for an investigation! The U. S. Senate Sub-Committee on Constitutional Rights is investigating violations of the Bill of Rights. People throughout the country are writing to request that the Sobell case be included on the sub-committee's agenda. Won't you join this request? Write to:

Senator Thomas C. Hennings, Jr., Chairman
Senate Sub-Committee on Constitutional Rights
U. S. Senate Office Building
Washington, D. C.

2. Contribute to the Sobell Fund! Contributions are urgently needed to provide for Morton Sobell's legal appeals for a new trial and for distributing information on the case throughout the country. Contribute as generously as you can. Fill out the coupon below and mail it with your contribution.

[redacted] b7D b7D

MRS. MORTON SOBELL
Committee to Secure Justice for Morton Sobell
940 Broadway
New York City, N. Y.

☐ Please send me more information on the Sobell case [redacted]
Enclosed find $..... contribution to provide for Morton Sobell's legal appeals for a new trial and for informing the public of the facts.

Name .....

Address .....

City..... Zone..... State.....

*Checks may be made payable to Mrs. Morton Sobell or to the SOBELL COMMITTEE.

This is Mrs. Morton Sobell speaking to you:

My husband, MORTON SOBELL is in Alcatraz — But he is innocent — there is no evidence —

Will You Help Right This Wrong?...

Convicted without evidence!

• My husband Morton Sobell, now 37 years old, is a scientist. He was arrested in 1950 while we were vacationing in Mexico with our two children. The prosecution claimed my husband had fled the country and was deported by the Mexican government. Documentary evidence proves we were in Mexico *legally* and that we were preparing to return home when we were unlawfully kidnapped with the knowledge of U. S. authorities who wanted it to appear that my husband was fleeing.

• My husband was accused of "conspiracy to commit espionage," and brought to trial with Ethel and Julius Rosenberg in 1951. He was condemned to 30 years in prison. From the day of his arrest the prosecution fed sensational stories to the newspapers *with accusations that were never supported in court.* He was falsely accused of being an "atom spy," even though Judge Kaufman later said to my husband in court: "The evidence in the case did not point to any activity on your part in connection with the atomic bomb project." No 12 jurors, who had for nine months been exposed to such inflammatory statements, could sit in judgment on my husband without prejudice.

• When the trial finally took place there was *not a shred of evidence* to prove espionage by my husband. There was only the word of one "witness"—Max Elitcher. Judge Kaufman said in his charge to the jury: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell."

• Elitcher admitted under oath that he had sworn falsely on an affidavit, that he was afraid of a possible perjury sentence and that he hoped to escape prosecution by appearing against my husband.

• From the day of his arrest my husband has been pressured to "confess" that he and the Rosenbergs were guilty. When he continued to appeal for a new trial, he was sent to Alcatraz, the prison reserved for hardened and dangerous criminals, 3000 miles from me and the children and from the help of our attorney.

• Since the trial, vital new evidence has been uncovered. A continued investigation constantly discloses more evidence in support of his plea of innocence. Such evidence includes documents showing that the prosecution witnesses *knowingly committed perjury.* Our attorneys are using this material in preparing appeals for a new trial.

• The Attorney General's Office has, to date, successfully prevented the Supreme Court from even once reviewing the case. Should a man be imprisoned in Alcatraz when there is so much proof of his innocence?

MRS. MORTON SOBELL

AMERICA'S CONSCIENCE SPEAKS

U. S. SENATOR WILLIAM LANGER:

"I pledge that everything I can do as a member of the Judiciary Committee of the U. S. Senate will be done to see that Morton Sobell gets justice."

DR. HAROLD C. UREY, *atomic scientist and Nobel Prize winner:*

"The integrity of justice as it is administered in the United States is at stake . . . Mr. Sobell was not properly tried and the verdict and sentence were not justified."

JUDGE JEROME N. FRANK *of the Circuit Court of Appeals in a dissenting opinion:*

". . . There was error, in this respect, which requires that Sobell be given a new trial."

ELMER DAVIS, *radio commentator and author, said of the prosecution's witnesses in the Rosenberg-Sobell trial after reading the new book, "The Judgment of Julius and Ethel Rosenberg":*

"Assuming that the record is here correctly cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Elitcher and the Greenglasses, or much if any of that of Harry Gold."

JUDGE PATRICK H. O'BRIEN, *Detroit, Michigan:*

". . . In accordance with our inheritance as a liberty-loving nation, I urge the immediate release of Morton Sobell."

NANCY F. WECHSLER, NEW YORK POST:

"Whether Sobell should have been convicted on the meager record against him . . . whether the tactics of the prosecution or the demeanor of the judge impaired the fairness of the proceedings, whether the defendants were convicted and sentenced on a record which might not have produced the same result in calmer times—all these are real issues which call for honest appraisal."

WARREN K. BILLINGS, *who was framed with Tom Mooney, served 23 years in prison and was freed when his innocence was proved:*

"The district attorney threatened me that if I didn't testify against Tom Mooney he would hang Mooney and me too. They let Morton Sobell know that if he didn't testify against the Rosenbergs, he would be put in Alcatraz. But Morton Sobell doesn't have anything to testify any more than I did."

CAREY McWILLIAMS, THE NATION:

"Apart from the fact that Elitcher was 'on the hook' for having previously falsified an affidavit, his testimony is inherently incredible."

PROF. STEPHEN S. LOVE, *professor of law, Northwestern University:*

"The 30-year sentence imposed upon Morton Sobell is a blight upon the reputation of American justice."

18717

"I AM INNOCENT"

Morton Sobell Seeks a New Trial

". . . the prosecuting authorities knowingly, willfully, and intentionally used false and perjurious testimony and evidence, made false representations to the Court, and suppressed evidence."

—From motion for new trial filed in U. S. District Court on behalf of Morton Sobell. May 8, 1956.

Prisoner on Our Conscience

Morton Sobell, imprisoned in Alcatraz on a 30-year sentence, asserts his innocence and is fighting for a new trial. Millions of people believe he is telling the truth — that he is victim of a terrible injustice. Eminent Americans have declared that he was convicted on perjured testimony in an atmosphere of public hysteria. Our committee, made up of people who want to uphold justice in our country, asks YOU to look at the facts.

No Evidence

There was no documentary evidence — not so much as a scrap of paper introduced by the prosecution to prove Morton Sobell had committed a crime. The charge against him was "conspiracy to commit espionage," and he was tried in 1951 with Julius and Ethel Rosenberg. The Rosenbergs were executed three years ago this June despite the fact that millions of people in all walks of life expressed doubts as to their guilt and still do.

Trial Never Reviewed

Despite the illusion that the Rosenberg-Sobell case has been reviewed, it is a fact that the fairness of the trial has never been reviewed by the Supreme Court. As Supreme Court Justice Hugo Black said: "It is not amiss to point out that this Court has never reviewed this record and has never affirmed the fairness of the trial below." Surely a case of this magnitude requires a review.

Justice Demands New Trial

We say let there be a new trial so the full truth can come out. A man's life is at stake. Justice is at stake. Attorneys for Morton Sobell have new evidence that perjured testimony was used against Morton Sobell . . . President Eisenhower has authority to direct the Justice Department to agree to a new trial. Or he can pardon Morton Sobell, or commute his sentence to the six years already served. Will you do as thousands of others are doing?

Write a letter today to President Eisenhower, White House, Washington, D. C.

Ask him to direct the Justice Department to agree to a new trial, or to commute the sentence of Morton Sobell to time served.

Issued by: COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL, 940 Broadway, New York City — AL 4-9983

100-107111-1B78

The Public Conscience Speaks on the case of MORTON SOBELL

(Some of the following comments were made concerning a new book on the Rosenberg-Sobell case, John Wexley's THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG)

U. S. SEN. WILLIAM LANGER: "I pledge that everything I can do as a member of the Judiciary Committee of the U. S. Senate will be done to see that Sobell gets justice."

JUDGE PATRICK H. O'BRIEN, Detroit, Mich.: ". . . In accordance with our inheritance as a liberty-loving nation, I urge the immediate release of Morton Sobell."

DR. HAROLD C. UREY, atomic scientist and Nobel Prize winner: "The integrity of Justice as it is administered in the United States is at stake . . . Mr. Sobell was not properly tried and the verdict and sentence were not justified.

PROF. FRANCIS D. WORMUTH, Western Political Quarterly, published by the University of Utah: "Obviously the Department of Justice cannot answer all criticisms. But unless it answers Mr. Wexley's we must conclude that the Rosenberg case is our Dreyfus case, outdoing the first in cardidness, cruelty, and terror."

WALDO FRANK, novelist and essayist: "Sobell is a symbol of our responsibility, and of our danger, of the tragic danger to America if we permit this injustice to be done."

LORD BERTRAND RUSSELL, philosopher: "I am ashamed to say that at the time of the Rosenbergs' trial I did not look into the evidence. I have now done so. I am almost certain that the Rosenbergs were innocent. . . . But the Rosenbergs are dead and nothing can be done for them now. . . . Sobell, however, is alive and it is not too late for the United States government to make some reparation to him."

CATHOLIC WORKER: "If there is anything to be gained by writing the powers that be it would be fine if the readers of this review would request that Morton Sobell be given a new trial."

JOHN F. FINERTY, attorney in Mooney-Billings and Sacco-Vanzetti cases: "I believe that Morton Sobell received a rotten deal. Certainly his incarceration in Alcatraz is completely unjustified and demands immediate correction. . . . Whenever the public participates actively in righting a wrong, it strengthens the courts and all our institutions."

ELMER DAVIS, author and journalist: "Assuming that the record is here correctly cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Bitcher and the Greenglasses or much if any of that of Harry Gold."

WALTER MILLIS, editor of the "Forrestal Diaries" and former editorial writer of the N. Y. Herald Tribune: "The evidence on which Morton Sobell was convicted was probably perjurious; if it were legally possible, the case ought to be reviewed on its merits, while in any event the 30-year sentence was grossly disproportionate to any crime actually attested against him."

NANCY F. WECHSLER, New York Post: "Whether Sobell should have been convicted on the meagre record against him . . . whether the tactics of the prosecution or the demeanor of the Judge impaired the fairness of the proceedings, whether the defendants were convicted and sentenced on a record which might not have produced the same results in calmer times — all these are real issues which call for honest appraisal."

Write a letter today to President Eisenhower, White House, Washington, D. C.

Ask him to direct the Justice Department to agree to a new trial, or to commute the sentence of Morton Sobell to time served.

Issued by: COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL, 940 Broadway, New York City — AL 4-99[illegible]

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CARNEGIE HALL
Tuesday, May 15, 1956

MORTON SOBELL

Speakers:

Judge Patrick H. O'Brien
Former Attorney General of Michigan

Stephen Love
Professor of Law

John Wexley
Author of "The Judgment of Julius and Ethel Rosenberg"

Rose Sobell
Mother of Morton Sobell

Helen Sobell
Wife of Morton Sobell

Message from Lord Bertrand Russell

I am very glad that a movement is on foot to secure justice for Morton Sobell. The evidence upon which he was convicted was not such as any court of justice would have thought adequate in a case not involving hysteria. I am profoundly convinced that the verdict against him was unjust and the sentence monstrously vindictive. What is very widely felt to be a miscarriage of justice in the case of the Rosenbergs as in that of Morton Sobell has done more harm to the cause for which the prosecutors stood than has been done by all the admitted acts of espionage. For the sake of the fair name of the United States as well as in the interests of common humanity, I ardently hope that this cruel injustice to an innocent man will be brought to an end at the earliest possible moment.

BERTRAND RUSSELL

"Prisoner on our Conscience"

Morton Sobell, imprisoned in Alcatraz on a 30-year sentence, asserts his innocence and is fighting for a new trial. Eminent Americans have declared that he was convicted on perjured testimony in an atmosphere of public hysteria. There was no documentary evidence introduced by the prosecution to prove Morton Sobell had committed a crime. The charge was "conspiracy to commit espionage" and he was tried in 1951 with Julius and Ethel Rosenberg. He was convicted on the unsupported testimony of one witness, a man who admitted on the witness stand that he feared a prison sentence for previously lying under oath.

The Supreme Court has never reviewed his case.

A motion is now before the courts asking that Morton Sobell be freed or given a new trial. The motion charges that the prosecution knowingly used perjured testimony and deceived the courts.

Will you Help?

Join the many Americans who are writing letters to President Eisenhower, Washington, D.C., asking him to take favorable executive action in the Sobell case. The President has the authority to pardon Morton Sobell, to commute his sentence to the time already served, or he can ask the Attorney General to agree to a new trial.

[redacted]

16719

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Tuesday, May 15, 1956

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Tuesday, May 15, 1956

MORTON SOBELL

Speakers:

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Former Attorney General of Michigan

Stephen Love
Professor of Law

John Wexley
Author of "The Judgment of Julius and Ethel Rosenberg"

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[redacted]

Mrs. Morton Sobell 30 Charlton St. New York City

TA 9-8061

FOR RELEASE IN PAPERS OF
FRIDAY, MAY 11

EMINENT AMERICANS ASK PRESIDENT EISENHOWER TO RECOMMEND
NEW TRIAL FOR MORTON SOBELL OR RELEASE HIM FROM PRISON

I have forwarded to President Eisenhower a letter concerning the case of my husband, Morton Sobell, signed by many eminent Americans, including Elmer Davis, commentator; Lewis Mumford, author; Dr. Roland Bainton of the Yale Divinity School; Dr. Harold C. Urey, Nobel Prize scientist; Rev. John Paul Jones; Dr. Linus Pauling, Nobel Prize scientist; Dr. Paul L. Lehmann of the Princeton Theological Seminary; and Prof. Gardner Murphy of the Menninger Foundation. The letter asks the President to take executive action, either to recommend a new trial for my husband, or to pardon him or commute his sentence.

The text of the letter, together with an alphabetical list of some of the signers, is attached.

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[redacted]

Helen L. Sobell

(Mrs. Morton Sobell)

100-107111-16720

[redacted] 67D

President Dwight D. Eisenhower
The White House
Washington, D. C.

Dear Mr. President:

It is because we share your deep concern for the spiritual health of our nation and for the principles of justice upon which it is founded that we address ourselves to you concerning the case of Morton Sobell.

Morton Sobell, now in his sixth year of imprisonment and confined in Alcatraz, is seeking a new trial to reverse his 30-year sentence on a charge of "conspiracy to commit espionage." Both he and his defenders maintain that he is innocent. Moreover, the trial record shows that the judge in passing sentence stated: "The evidence in the case did not point to any activity on your (Morton Sobell's) part in connection with the atomic bomb project."

We do not press upon you, Mr. President, the question of Morton Sobell's innocence or guilt—for we ourselves are not of one mind on that issue. Our faith in our democratic system of justice assures us that the truth will ultimately be established.

We believe it is vital that our nation safeguard its security, but it is important that we do not permit this concern to lead us astray from our traditions of justice and humanity. In this light, we further believe that Morton Sobell's continued imprisonment does not serve our nation's interest or security.

Therefore, most respectfully and earnestly, Mr. President, we look to you to exercise your executive authority either by asking the Attorney General to consent to a new trial for Morton Sobell or by the granting of Executive Pardon or Commutation. We take the liberty of urging your personal attention to this matter.

Dr. Murray Abowitz, Los Angeles, Cal.
Milner Alexander of the American Friends Service Committee, Los Angeles, Cal.
Dr. Roland H. Bainton, Yale Divinity School, New Haven, Conn.
Rev. William Baird, Essex Community Church, Chicago, Ill.
Rev. Reginald H. Bass, Community Church, Brooklyn, N.Y.
Helen Marston Beardsley, Los Angeles, Cal.
Edward Biberman, Los Angeles, Cal.
Dr. Lee Bigelman, Los Angeles, Cal.
Jessie F. Binford, Hull House, Chicago, Ill.
Prof. David Blackwell, University of California, Berkeley, Cal.
Prof. Dirk Bodde, University of Pennsylvania, Philadelphia, Pa.
Reuben U. Borough, Los Angeles, Cal.
Prof. Murray Branch, Morehouse College, Atlanta, Ga.
Robert L. Brook, attorney, Los Angeles, Cal.
Prof. Anton J. Carlson, University of Chicago, Chicago, Ill.
Rabbi Franklin Cohn, Los Angeles, Cal.
Dr. Ephraim Cross, City College, New York, N.Y.
Elmer Davis, Commentator, Washington, D.C.
Frank C. Davis, psychologist, Beverly Hills, Cal.
Dorothy Day, editor Catholic Worker, New York, N.Y.
Rabbi Julian B. Feibelman, Temple Sinai, New Orleans, La.
John F. Finerty, attorney in the Sacco-Vanzetti and Mooney-Billings cases, New York, N.Y.
Waldo Frank, author, Truro, Mass.
J. Allen Frankel, attorney, Los Angeles, Cal.

[redacted] 67D

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Rev. G. Shubert Frye, Synod of New York, Syracuse, N.Y.
Maxwell Geismar, Literary Critic, Harrison, N.Y.
Prof. Erwin R. Goodenough, Yale University, New Haven, Conn.
Dr. Alice Hamilton, Hadlyme, Conn.
William Harrison, publisher and editor Boston Chronicle, Boston, Mass.
Rev. John Paul Jones, Union Presbyterian Church of Bay Ridge, Brooklyn, N.Y.
Prof. Isaac Koltheff, University of Minnesota, Minneapolis, Minn.
J.M. Kuehne, Prof. Emeritus, University of Texas, Austin, Tex.
Rev. John Howland Lathrop, Unitarian Church, Brooklyn, N.Y.
Dr. Norman Lavet, North Hollywood, Cal.
Dr. Paul L. Lehmann, Director of Graduate Studies, Princeton Theological Seminary
Dr. Milton Lester, Beverly Hills, Cal.
Dr. Milton Z. London, Los Angeles, Cal.
Dr. Bernard M. Loomer, Divinity School of the University of Chicago, Chicago, Ill.
Daniel Marshall, attorney, Los Angeles, Cal.
Dr. Leo Mayer, New York, N.Y.
Louis McCabe, attorney, Philadelphia, Pa.
Rev. Sidney G. Menk, University Heights Presbyterian Church, New York, N.Y.
Lewis Mumford, author, Amenia, N.Y.
Prof. Gardner Murphy, Menninger Foundation, Topeka, Kansas
Dr. Scott Nearing, Camp Rosier, Maine
Theodora Ninestael, Los Angeles, Cal.
Judge Patrick H. O'Brien, Detroit, Mich.
Prof. Victor Paschkis, Columbia University, New York, N.Y.
Dr. Linus Pauling, Nobel Prize scientist, Pasadena, Cal.
Dr. Alexander E. Pennes, Los Angeles, Cal.
Richard W. Petherbridge, attorney, El Centro, Cal.
Rev. Dreyden L. Phelps, Fellowship Church, Berkeley, Cal.
Dr. Irving E. Putnam, Methodist Church, Minneapolis, Minn.
Prof. Anatol Rappaport, University of Michigan, Ann Arbor, Mich.
Prof. Oscar K. Rice, University of North Carolina, Chapel Hill, N.C.
Prof. Malcolm Sharp, University of Chicago Law School, Chicago, Ill.
Margaret T. Simkin, Los Angeles, Cal.
Judge Edward P. Tetten, Santa Ana, Cal.
Dr. Harold C. Urey, scientist and Nobel Prize winner, Chicago, Ill.
Prof. Francis D. Wormuth, University of Utah, Salt Lake City, Utah
Dr. Frank Weymouth, Los Angeles, Cal.

Note:

Affiliations are for identification only.

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Committee To Secure Justice For Morton Sobell

940 BROADWAY, NEW YORK 10, N. Y.

Algonquin 4-9983

Dear Friend:

As we have been indicating recently, events in the Sobell case are moving very rapidly.

On May 8, the court motion was filed.

On May 11, the letter to the President, signed by Elmer Davis, Dr. Harold C. Urey, Lewis Mumford and 58 other eminent Americans was made public by Mrs. Helen Sobell.

This letter meets the requirements in the Sobell case in a clear cut and concise way: "consent to a new trial for Morton Sobell or...the granting of Executive Pardon or Commutation."

Those words sum up the program of all who seek justice in this case.

Many thousands of such appeals, indigenous in language and origin to your community, signed by individuals or groups of persons, varying in degree with the feelings of the signers, emphasizing the points felt most keenly, independent of one another, numerous as to number and character of their supporters - these can create an atmosphere conducive to favorable action for Sobell.

We can secure this support if we keep in mind that we are dealing with a case that, in its positive interest, has a breadth no other issue has shown.

Regardless of the past history of your work in the case - be it large or small- this is the time for an inspired effort.

If you understand the meaning of the day of Sobell's step on free soil, if you sense its meaning to our country and its liberties, if you can see it as clearly as future mankind will see it, you will feel compelled to put your devoted energies into securing the future of our liberties by securing Sobell's freedom.

Sincerely,

David Alman

David Alman
FOR THE COMMITTEE

[redacted] b7D

100-104111-18721

GLORIA AGRIN
Mar. 1956

GLORIA AGRIN
Mar. 1956

GLORIA AGRIN
Mar. 1956

GLORIA AGRIN
Mar. 1956

GLORIA AGRIN
Mar. 1956

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Sobell NEWSLETTER

(issued by the Bay Area Council of Sobell Committees)
417 Valencia St., San Francisco
MAriner 3-0422

APRIL 1956

BERTRAND RUSSELL ACTS FOR SOBELL

HOUSEWARMING RECEPTION FOR HELEN SOBELL

The Bay Area Council of Sobell Committees opened its new headquarters at 417 Valencia Street, S.F., with a housewarming and reception for Mrs. Morton Sobell. Over 200 people crowded the office and contributed $241 to the fight for Morton Sobell's freedom.

Helen Sobell described her recent successful trip through Canada, where members of the Canadian Parliament and provincial administrators spoke from the platform at her meetings.

From the National Committee, she brought word that the legal battle for her husband's freedom will go before the courts this month in an appeal for a new trial.

The movement was also getting under way among many prominent people for an appeal to the President for a pardon or for a commutation of sentence to time served.

The Bay Area Committees are now beginning a campaign to get leading West Coast people to join in this appeal.

SOBELL'S FATHER DIES

Louis Sobell, father of Morton Sobell, passed away last Thursday, April 5, in New York, another victim of the tragic trial of the Rosenbergs, which has already claimed three lives: Julius and Ethel Rosenberg, and their valiant defender, Emanuel Bloch.

The Bay Area Council of Sobell Committees sent on Friday a telegram of condolences to Mrs. Rose Sobell pledging that we on the West Coast will redouble our efforts on behalf of our son, Morton's, freedom.

URGENT NEED FOR FUNDS

The National Committee to Secure Justice for Morton Sobell has appealed to all Sobell Committees throughout the country to rush contributions so sorely needed in the legal battle for a new trial.

The Bay Area Council and its affiliated committees have pledged to send $1,500 in the next couple of weeks. Will you send your contributions and those of your friends?

In a letter to the Manchester Guardian of March 26, 1956, Bertrand Russell, the eminent British philosopher and mathematician, assailed the FBI and its methods and called for the release of Morton Sobell from imprisonment, or, as a minimum, for a new trial of this case. This letter has received world-wide publicity and should do much to bring nearer the day of Morton Sobell's freedom.

Copies of Earl Russell's letter will soon be available at the office of the Sobell Committee in San Francisco, 417 Valencia St., and will be mailed on request. How many can you use?

Dr. Hartnett

The "Globe and Mail" of Toronto, Canada, in its issue of March 27, 1956, prints a lengthy article entitled "Soul in Prison" in which the columnist J. W. McAree reviews the Rosenberg-Sobell case, and points to the firm conviction of many Americans that Sobell was convicted on perjured testimony.

Don't miss the next meeting of the San Francisco Sobell Committee — THURSDAY, APRIL 19, 8 p.m. at 417 Valencia Street (near 25th Street.) Help launch and carry on the new campaign for Morton Sobell's freedom.

Labor donated

SOBELL NEWSLETTER NOVEMBER 1955

Bay Area Regional Organizing

NEW FREEDOM DRIVE AT THANKSGIVING

JOINT MEETING IN FRESNO

The principals of the Los Angeles and the Bay Area Sobell committees met with Sobell committees in Fresno and Sacramento the holiday for a regional conference for Western States and Canada.

Reports on the nationwide campaign by John Wexley, author of The Judgment of Julius and Ethel Rosenberg, and make plans for supporters for the struggle to free Morton Sobell.

The Bay Area representatives have brought back the information and inspiration for more intensive and local Sobell committees.

After discussion, it was felt that the great deal of preparatory work should be done during calling the Western Regional Conference.

A provisional planning committee for the Conference was set up. Tentatively the date for the Conference, Northern and Southern California groups suggested, was early April.

Interest with the result of the Fresno meeting, and arrangements made for closer collaboration and exchange of experiences in the future.

Seattle Sobell Committee has since initiated to the N.Y. Committee responded enthusiastically to plans for a Western Regional Conference.

MALIBU COUNCIL FORMED

The Bay Area Council for Sobell Committees is now coordinating the work between committees in 40-odd cities around San Francisco.

Six of the seven local committees from out of work shops which formed recently, Berkeley, Oakland, Alameda, Palo Alto, Marin County and Petaluma, recently, of the seventh committee in the Bay Area that formed following a series of stations, meetings in the city.

Should the Bay Area Council, which has grown rapidly, with the cooperation of the Los Angeles Council, be able to hold a conference, it would be the first Bay Area Council to do so.

JOHN WEXLEY TO SPEAK IN SAN FRANCISCO

Author Wexley will appear with Helen Sobell in a public discussion of his celebrated book, The Judgment of Julius and Ethel Rosenberg, the case for Sobell. December 2 at the Macedonia Missionary Baptist Church, 2135 Sutter St., S.F.

Noted scientists, university educators, trade union leaders, attorneys and others with something of significance to say on the Sobell case are among the invited guests.

Newspaper ads, appearing on the 4th Thanksgiving anniversary of Morton Sobell's transfer to Alcatraz, will announce the gathering.

NEWS FROM LOCAL GROUPS

Veterans Union, religious, professional and civic leaders are on the mailing lists and have been personally contacted by our growing local committees.

The report of typical activities in three areas comes from Marin County.

Our group sent people to the Sobell Case by Prof. Stephen Love throughout the United States, the Marin group reports.

Especially a book has been ordered in number and sales have been steady. They continue.

The committee has mailed out coupons for Mr. Harold Urey's statement on the Sobell case to community leaders and sources by post cards and letters to Dr. of Prisons, Attorney General, requesting Sobell's transfer from Alcatraz.

BILLIARD SALE BIG SUCCESS

Thanks to the hard work of the Pacific Sobell Committee and the cooperation of the Sobell Committee in the Bay Area, a very successful Pool Tournament was held in Oakland on October 23, 24, 25.

The Sobell Committee plans to have an annual tournament. [illegible]

Nationwide Probe of Sobell Case

On the patriotic holiday of Thanksgiving three years ago Morton Sobell was transferred to Alcatraz, America's Devil's Island. His persecutors painted their act as appropriate punishment for one who they labelled a believer of the traditions of Englishmen on Thanksgiving Day.

Today it becomes increasingly apparent that their was the real betrayal of the truth-seeking principles upon which our country was founded—that their espionage conspiracy stories were sham, that they used Alcatraz as a torture chamber to bring the false confession from Morton Sobell.

"Spy hunting" Roy Cohn, one of Sobell's leading prosecutors, has toppled along with his boss McCarthy. Nerve centers have cooled the cold war fevers, and raised increasing doubts that the Russians got the A-bomb from spies, through a search-light on the severity of Sobell's sentence.

Even "spy" trials would hardly be launched in this atmosphere. But the harm done of atom bomb diplomacy has led to the sundown. Morton Sobell is still on Alcatraz. Can you join U.S. Senator William Langer, Warren Billings, authors Waldo Frank and Brett Halliday and the hundreds nationally and locally who are speaking out for Morton Sobell?

The petition is before Sen. Thomas Hennings' Judiciary Subcommittee on Constitutional Rights asking an investigation into the Sobell-Rosenberg cases. You can write and ask others to write the Sen. Hennings requesting an early hearing on this petition.

Sponsored by
Bay Area Council of Sobell Committees
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TRIAL BY HEADLINE

ON EVE OF TRIAL BY COURT

Within a few days a motion for a new trial for Morton Sobell will be entered in the courts. Is it a coincidence that on the eve of this momentous action the Internal Security Subcommittee is making press headlines with the rehashed testimony of Harry Gold and David Greenglass, key prosecution witnesses in the Rosenberg-Sobell trial in 1951?

THE WITNESSES

In his book "The Judgment of Julius and Ethel Rosenberg," John Wexley proves that Harry Gold is a pathological liar. Gold himself, admitting to a phantasy life, said: "It is a wonder that steam didn't come out of my ears at times." Only recently an Ohio jury rejected Gold's testimony against an engineer, Benjamin Smilg, and freed the defendant.

David Greenglass, whose testimony helped send his sister and brother-in-law, Ethel and Julius Rosenberg to their deaths, in a repeat performance is now helping the Internal Security Subcommittee in its current "Investigation."

It is our belief that these hearings are timed to prejudice Morton Sobell's forthcoming legal appeal. Investigations have uncovered many new facts but all lead to a single conclusion — that the prosecution knowingly used perjured testimony in convicting Morton Sobell.

Correcting an injustice through legal processes often can be slow and painstaking. Fortunately the President is empowered by law to act swiftly to correct an injustice. By granting a pardon or commuting Morton Sobell's sentence to the six years already served, the President can prevent perpetuating the injustice while the courts deliberate.

Act Now!

1. Write to U.S. Attorney General Herbert Brownell, Justice Dept., Washington, D.C., asking him to consent to Morton Sobell's action for a new trial. (Send copies of your letter to the press.)

2. Write to Pres. Eisenhower, asking him to take executive action in the case of Morton Sobell by granting a pardon or commuting the sentence to the 6 years already served.

3. Contribute as generously as you can toward Morton Sobell's legal appeals and to make possible the distribution of the facts in his case to the public. Send contributions to the Day Area Council of Sobell Committees, 1417 Valencia Street, San Francisco 10.

Help Free the "Prisoner On Our Conscience"

Title of new 17-page pamphlet on Morton Sobell

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The Lord Russell Debate

ON THE CASE OF MORTON SOBELL

From the "Letters to the Editor" column of the Manchester Guardian,

INFLUENTIAL BRITISH NEWSPAPER

Lord Bertrand Russell, eminent philosopher and mathematician, initiated an international discussion on the case of Morton Sobell, when he wrote the following letter published in the Manchester Guardian on March 26, 1956:

Letters to the Editor

THE SOBELL CASE

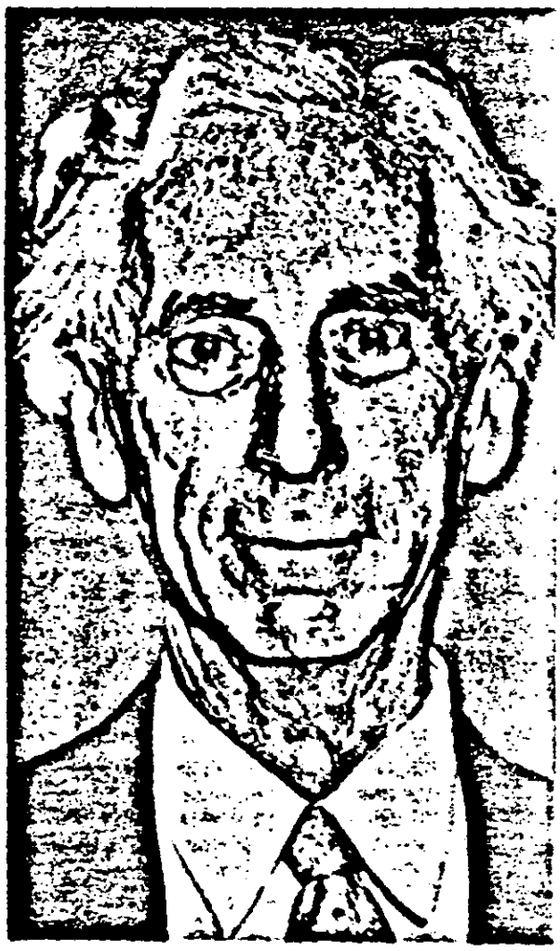
To the Editor of the Manchester Guardian

Sir,—I am writing to enlist your support in the case of Morton Sobell, an innocent man condemned as a result of political hysteria to thirty years in gaol and at present incarcerated in Alcatraz, the worst prison in the United States. He was sentenced as an accomplice of the Rosenbergs in espionage. I am ashamed to say that at the time of the Rosenbergs' trial I did not look into the evidence. I have now done so. I am almost certain that the Rosenbergs were innocent and quite certain that the evidence against them would not have been considered adequate if prejudice had not been involved. But the Rosenbergs are dead and nothing can be done but those now current to hush up their official murderers to whomever [illegible] to save and [illegible] the United States Government to make some reparation to them.

The facts in the case are brief. As witnesses we [illegible] that a friend named [illegible] who had been his best man [illegible] had stated on oath that he had never been a Communist. The F.B.I. discovered that in making this statement he had committed perjury. They let him know that he could escape punishment if he would denounce other people as accomplices in treasonable activities. He decided to save his own skin by denouncing his best friend, Sobell. While negotiations in this sense were going on between him and the F.B.I. Sobell and his wife and their two small children went to Mexico. Sobell toyed with the idea of not returning to the United States, but rejected it. His decision to return became known to the F.B.I., which had determined to present him as a fugitive from justice. In order to be still able to present him in this light, they hired thugs, who beat him into unconsciousness, bustled him and his wife and their two children into fast cars, and drove them without stopping from Mexico City to the United States frontier. There they were handed over to an immigration officer, who falsely stamped their card of entry with the words "Deported from Mexico" although the Mexican Government had not been privy to the kidnapping and had expressed no intention of deporting them.

When Sobell was brought to trial these facts were not mentioned as his counsel considered that any criticism of the F.B.I., however justified, would only increase the severity of his sentence, his condemnation being regarded by his counsel as certain in spite of lack of evidence. The judge instructed the jury that they could not find Sobell guilty unless they believed Elitcher. Elitcher, because he was useful in this trial, has never been indicted for his admitted perjury and, in spite of this being known to be a perjurer, every word that he said against Sobell was believed.

People express scepticism when it is said that most Germans did not know of Nazi atrocities, but I am sure that the immense majority of Americans are quite ignorant of the atrocities committed by the F.B.I. They do not know of the standard technique of these defenders of what, with cynical effrontery, they still call "The Free World." The technique is one with which we have been made familiar in other police States such as Nazi Germany and Stalin's Russia. The police find a man whom they can prove to be guilty of some offence and they promise him immunity if he will manufacture evidence against people who could not otherwise be indicted. Perjury is especially useful as a lever because many people who have been Communist in their student days rashly hope that this can be concealed and swear that they were never Communists. After a sufficient number of secret interviews the F.B.I. descends upon innocent people with a posse of terrified perjurors and in the general hysteria every word uttered by the perjurors is accepted as gospel truth.



LORD BERTRAND RUSSELL

I do not suppose for a moment that President Eisenhower is aware of this well-established technique. If he knew of it, he would not only feel the revulsion which all decent people must feel, but would realise that every such case which becomes known outside the United States turns hundreds of thousands of people, if not into Communists, at least towards neutralism and away from the policy of N.A.T.O. For this large reason of public policy, as well as from motives of humanity and justice, it is to be hoped that some-

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thing will be done to curb the F.B.I. A beginning might be made by the release of Morton Sobell or, at least, by ordering a new trial of his case.—Yours &c., BERTRAND RUSSELL.
41 Queen's Road, Richmond, Surrey.

Lord Russell's letter brought several replies. The following were cri

Letters to the Editor

THE CASE OF MORTON SOBELL

To the Editor of the Manchester Guardian

Sir,—The trial of the Rosenbergs was followed closely by everyone in the United States. When the trial was concluded and the verdict delivered, there was not one faction or group or section of the public, with the exception of the Communist party, that did not believe that justice had been done.

Before we look at the "facts" of the Sobell case or discuss the "American Police State," let me mention the mission and the limitations of the Federal Bureau of Investigation. Briefly, it was formed to aid the Federal Government and the separate state, municipal, and county law-enforcement agencies (when they asked for help) in bringing to justice those criminals whose activities were inter-state by nature. Further, it made available scientific aids to criminology which the local agencies could not afford. In 1940 its field included the activities of those organisations which sought to destroy the United States from within, under the same scope and limitations.

Let me point out the specific limitations on members of the F.B.I.

(1) They have no power of arrest whatever.

(2) Their activities are restricted to the continental limits of the United States.

(3) They do not prosecute for the State, or hold any special position in a trial. They are called to testify as any citizen.

(4) They have no right of search.

(5) They may not initiate an investigation on their own.

They are not a police agency, but an investigating agency. I have never known a "thug" to work for them in any capacity. The agents must be, for the most part, university and law-school graduates. I have never known or heard of the F.B.I. "beating up" anybody.

But the "facts" of the recent letter not only implicate the F.B.I., but also the United States Bureau of Immigration, the Mexican Government, and the Federal Court System, who were in a vast conspiracy to thwart justice. I suggest that we submit the "facts" of the case to the observations above, and that we ask where the correspondent gained these "facts." The concluding half of the letter to which I refer does not justify any acknowledgment. Anyone who compares Nazi Germany and Communist Russia with the United States will not be dissuaded by a simple letter.—Yours &c.,

WADE N. MACK.
St Catherine's Society, Oxford.

To the Editor of the Manchester Guardian

Sir,—I was absolutely astounded to read, somewhat belatedly, the letter on March 26 from Lord Russell. Is it possible that such a thing could have been written by that great man? Surely with so much in this world which unhappily fails to meet his high philosophical standards he could find something better than the case of Morton Sobell for his crusading pen.

In any case he could do a better job of presenting his arguments. What, pray, does he use as a base for his purely emotional claim that Alcatraz is the "worst" prison in America? Personal experience? In actual fact Alcatraz is the "worst" prison in America solely from the standpoint of the prisoner who wishes to escape. I suggest to him that he makes a comparative tour of prisons both here and in America before he attempts to enlist support for a convicted criminal.

From this shameful beginning—for so acute a mind—Lord Russell goes on to quote facts which, so far as I am aware, have never reached public notice. Yet apparently he has some secret source of knowledge which he does not feel pressed to reveal. Where, for example, does he find the story that Sobell was deported to told him thought it b at Sobell's presume to methods of

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It is curio plishments unsupported then go on of action— nothing mo tion and th histrionics. examine hi of knowled his emotio crusading z —Yours &c

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To the Editor of the Manchester Guardian

Sir,—It is perhaps presumptuous for a young American to challenge an aged and eminent man like Lord Russell. But surely he himself would admit, on reflection, not only that the language of his letter published by you on March 26 was intemperate, but also that he had overstated his case. I think, with all due deference to his justly earned reputation, that he has done more than that. I think that his letter represents McCarthyism in reverse.

First, as to the Sobell-Rosenberg case itself. I frankly admit that I have not read the entire record, as Lord Russell says he has. But I have followed the case closely and discussed it with lawyers of various political persuasions. None would agree that "official murder" had been committed, nor can it be claimed that Sobell was convicted on the evidence of Elichter alone. That the sentences given in this case were harsh, not that the verdicts were wrong, is the utmost that I think informed non-Communist liberals in America would admit.

Secondly, as to the role of the F.B.I. Lord Russell flits easily from unsubstantiated charges in this instance to a blanket indictment of the "well-established technique" very similar to "Nazi atrocities." I question the accuracy of the first and absolutely deny the phantasmagoria of the second. The F.B.I. has been justly criticised on occasion, like all security services, but to compare it with the agents of "other police States" is simply fantastic, and a charge which furthermore, by implication, asserts that the Supreme Court and the Presidents and officials of both Democratic and Republican Administrations have been false to their oaths to uphold the Constitution. This charge I flatly reject, even when Lord Russell palliates President Eisenhower's guilt by making it guilt by ignorance.

Lastly, as to the effect of the letter which you published. I cannot imagine that Lord Russell seriously believes that such a shrill and distorted protest can serve any useful purpose as far as Sobell is concerned. His letter can only please those who welcome Anglo-American discord.—Yours &c.,

BRADFORD PERKINS, Assistant Professor of History, University of California, Los Angeles.
81a Colehorne Court, Old Brompton Road, London S.W. 5

Note: All letters are reproduced i they appeared in The Manchester

Additional letters in suppor statement on the Sobell cas

To the Editor of the Manchester Guardian

Sir,—The reactions of my American countrymen to Lord Russell's original letter on Morton Sobell are more alarming than the actual contents of that letter. Such over-righteous indignation comports ill with America's pride in its capacity for self-criticism. Some of your correspondents assume that criticism of the F.B.I. must be unfounded, must be merely anti-American, must be the result of falsifying and distorting some facts and inventing others. These things I find

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he Lord Russell Debate

THE CASE OF MORTON SOBELL

tical:

beaten in Mexico and the United States? Who hat the defence counsel st not to present the story rial? And how does he be an authority on the he F.B.I.?

nong my friends a sub-ber of young men who are n agents for the Federal Investigation and I can after fifteen years of erience that Lord Russell's re not only without foun-ordering on the hysterical. s that a man of his accom-an produce a letter full of claims and opinions and o demand action—his sort rom readers who have to go on than his reputa-power of his hortatory I suggest that he re-facts, review his paucity e of the case, reconsider al fervour, restrain his al, and rewrite his letter.

ROBERT H. ROSE.
r Barn, Whitchurch,
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of Lord Russell's

t inconceivable to associate with Lord Russell; though his letter surprised me, it was clear that the appropriate response was to inquire further, seek more information from Lord Russell such as he supplied in his second letter), and weigh his charges as objectively as possible. Your corre-spondents merely piped shrill polemics, told stories about fine young F.B.I. agents they have known, and even tried to discredit Lord Russell's claim by ad hominem remarks which were clearly intended to discredit him. This

Continued on next page

Lord Russell replied:

To the Editor of the Manchester Guardian

Sir,—The letter from Professor Perkins which appeared in your issue of March 31 demands an answer. It is possible to read through the whole of the official report of the judicial proceedings in the Sobell case without learning many of the most important facts. Some, however, can be learnt from the official report. Professor Perkins objects to my saying that Sobell was condemned on the evidence of Elitcher alone. As to this, Judge Irving Kaufman in his charge to the jury said: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell." Elitcher's motives for giving false testimony do not, of course, appear in the official report. But the interesting fact does appear there that the chief agent in the prosecution was McCarthy's now discredited henchman Cohn.

I should be glad to know how Professor Perkins would defend the kidnapping of Sobell and the illegal stamping of his card by the United States immigration officer as "Deported from Mexico." As for the "blanket indictment" of the F.B.I., everybody knows at least the use that the F.B.I. has made of repentant Communists. It is generally recognised in modern times that confessions extorted by torture in past ages are unreliable, but it is thought that testimony extorted from confessed perjurors by the threat of prosecution should be accepted without question.

Professor Perkins doubts whether my letter can have any useful effect. I had hoped that it might induce a re-examination of Sobell's case in America, though Professor Perkins's letter makes me fear that I was too optimistic in this respect. To pass to more general considerations. I most earnestly desire good relations between the United States and my country, and I think it important that Americans should realise what an obstacle to such relations is created by authorised injustice. The cases of Oppenheimer and Lattimore did much harm in this respect, and even more has been done by the Rosenberg-Sobell case. It is not only for the sake of justice, but also for the preservation of Anglo-American friendship that I think a revision of Sobell's trial important. Such cases supply ammunition for Communist propaganda in Britain and Western Europe, and do far more than most Americans realise to help the Communist cause.

Mr Wade N. Mack points out the limitations to the legal powers of the F.B.I. Has he never heard the ancient quip "Quis custodiet custodes"? He goes on to say that he has never known a "thug" to work for the F.B.I. and has never known of the F.B.I. beating up anybody. This, I do not deny: but I think he might remember Dr Johnson's remark, "Sir, what you don't know would fill a very large book." Mr Mack is mistaken in saying that I implicate the Mexican Government. On the contrary, it was not a party to the action against Sobell.

Mr Corliss Lamont, of the well-known American banking family, writes to me:

"I was much interested in the 'New York Times' story of March 27, giving a summary of your views on the Federal Bureau of Investigation. From my own personal experience I can assure you that you have not exaggerated the situation. . . . Liberals and Radicals throughout the U.S.A. are fearful that the F.B.I. is tapping their 'phone, has installed a secret microphone in their living-room or car, opens their mail, or goes over the contents of their wastepaper basket. Because I have an independent income, I am not bothered by such possibilities as much as many other people."

Mr Robert H. Rose seems to object to my quoting facts which have never reached the public and to accuse me of some secret source of knowledge. My sources of knowledge were all in published material. There is a very full account both of the Rosenberg case and of the Sobell case in a large book called "The Judgment of Julius and Ethel Rosenberg" by John Wexley, published by Cameron and Kahn, New York. Mr Elmer Davis, the radio commentator, said after reading this: "Assuming that the record is here correctly cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Elitcher and the Greenglasses, or much if any of that of Harry Gold." There is a brief summary in a leaflet called "The Facts in the Case of Morton Sobell," published by "The National Committee to Secure Justice for Morton Sobell," 1050 Sixth Avenue, New York 18. There is also a pamphlet called "U.S. Senator William Langer Asks Justice for Morton Sobell," and an informative pamphlet published by the same committee called "Atomic Scientist Harold Urey Asks Justice for Morton Sobell." Dr Harold Urey, who is a Nobel Prize man of by no means Left-wing opinion, said: "The integrity of justice as it is administered in the United States is at stake . . . Mr Sobell was not properly tried and the verdict and sentence were not justified." Judge Patrick H. O'Brien, Detroit, Michigan, said: "In accordance with our inheritance as a liberty-loving nation I urge the immediate release of Morton Sobell." Perhaps when Mr Rose has studied these documents he will admit that my letter was not full of unsupported claims.

In conclusion, I cannot do better than offer him the advice which he so kindly offers to me, "that he re-examine his facts, review his paucity of knowledge of the case, re-evaluate his emotional fervour, restrain his crusading zeal, and rewrite his letter.

—Yours &c. BERTRAND RUSSELL.

41 Queen's Road, Richmond,
Surrey.

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Continued from page 2

technique only lends colour to his complaints.

Indeed why do these self-appointed spokesmen for the United States get so emotional when America is referred to as a Police State? Why is it so absurd to compare the United States to Fascist Germany and Communist Russia? If such charges are false then they are false; it should be easy to prove it. But why the hysterics? Is it not perhaps that prima facie at least the last six years of American internal affairs make such imputations plausible? Who will come forward and explain to the outside world the Gray Report on Dr Oppenheimer—a travesty of democratic inquiry? Who will ease the minds of intelligent Europeans and Asians when they peruse the documents of the Rosenberg trial (cited in Lord Russell's letter of April 5) and the hearings concerning Professor Lattimore? Who will set into a sympathetic perspective the inquisition of university staff in the United States, and the spinelessness of the American Association of University Professors when liberal thinking was being crushed out of higher education? A large number of my friends and colleagues teaching in American universities are horrified and ashamed of the way in which their superiors sagged before the blusterings of McCarthy and his gang. They would be horrified also by Mr Wade Mack's confidence that only Communists were unhappy about the Rosenberg trial. Then there are the Jenners, the Velde, the Brownells, and the army of creatures who work for them.

Lord Russell's serious accusations against the F.B.I. are hardly out of phase with what America has been teaching the world to think of it. Though his charges are hard to accept as they stand, I would hear more and request of your correspondents that they cease trying to scream him down. And if he can substantiate his remarks Americans must be grateful to him and not demand an apology. What is needed is an American apologist who can set out the events occurring in America since 1950 in a way which will make it clearer to Asians and Europeans than it is now, that the United States is not a Police State, and resembles in no essential way Fascist Germany and Communist Russia.—Yours &c. NORWOOD RUSSELL HANSON.

11 Brookside, Cambridge.

Letter by Sydney Silverman, Member of Parliament:

To the Editor of the Manchester Guardian

Sir,—Even in one's own country it is only when real conviction is based upon close study of the evidence that one cares in a criminal case to challenge the final verdict of the appropriate court. A case subject to a foreign jurisdiction no doubt calls for even greater caution—and diffidence. But the case of the Rosenbergs, for whom nothing can now be done, and of Mr Sobell, who is still alive—so far as existence in Alcatraz can properly be so described,—has aroused worldwide interest for several years.

In June of last year Mr John Wexley published in America a long and fully documented account of the matter under the title of "The Judgment of Julius and Ethel Rosenberg." It runs to 664 pages, including 22 appendices. So far as I know, no action has yet been taken against the author or publishers, nor, again so far as I know, is any action contemplated. Yet it contains statements of fact and express inferences from those facts which, if they were made in corresponding circumstances in this country, would leave both author and publishers with no defence, not merely against many libel actions, but against proceedings for gross contempt of court: unless indeed they are true. If they are true, and they do not seem to have been challenged, all these convictions are quite plainly gross miscarriages of justice. If they are not true, I cannot understand Mr Wexley's immunity, nor why no injunction against further publication has been sought. For myself, I have little doubt that they are substantially true. One day, I am confident, the United States will be as ashamed of these trials as they already are of the Sacco and Vanzetti affair and as France is of the Dreyfus case.

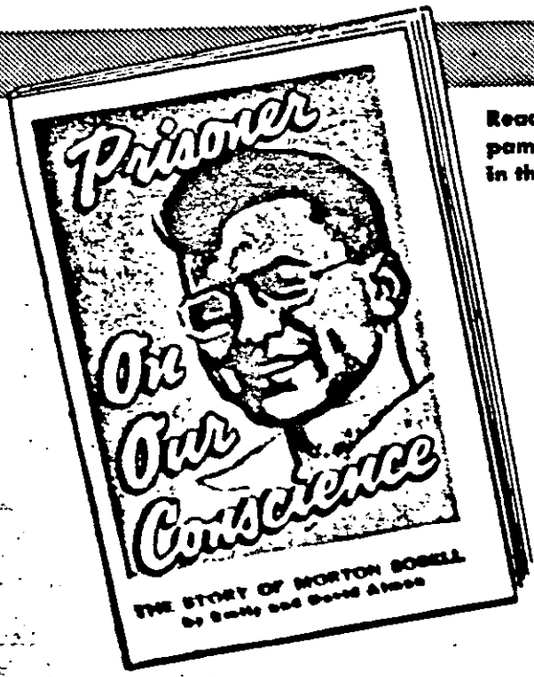
It is not possible to re-try these cases in the correspondence columns of a newspaper. But perhaps the views of some representative Americans may be of interest. The trial judge made it abundantly clear that the case against Mr Sobell rested upon the sole evidence of one Elitcher, a man who had already been convicted—he has never been sentenced—of perjury. Of his evidence Mr Elmer Davis declared: "I cannot believe the evidence of Elitcher," and Mr McWilliams in "The Nation": "His testimony is inherently incredible." Professor Love, professor of law in the North-Western University, has said: "The 30-year sentence imposed upon Morton Sobell is a blight upon the reputation of American justice." Judge Frank, in a dissenting judgment in the Circuit Court of Appeals, said: "There was error, in this respect, which requires that Sobell be given a new trial," while Dr Harold C. Urey, a well-known atomic scientist and a Nobel Prize winner, has declared: "The integrity of justice as it is administered in the United States is at stake. . . . Mr Sobell was not properly tried and the verdict and sentence were not justified."

No human institution is infallible. No one expects it to be. What undermines confidence in the administration of justice is not doubt about its infallibility but doubt about its integrity. To refuse a new trial and at the same time to allow Mr Wexley's book to go unrefuted would be difficult to reconcile with good faith.

One final word. What possible justification can there be for confining Mr Sobell in Alcatraz?—Yours &c.,

SYDNEY SILVERMAN.

House of Commons.



Read this new 36-page pamphlet giving the facts in the Sobell case——20c

ADDITIONAL LITERATURE

Complete Trial Transcript (boxed set of 8 volumes) $6.00

The Judgment of Julius and Ethel Rosenberg 6.00
by John Wexley
(672-page study of the Rosenberg-Sobell case)

Speech by Dr. Harold C. Urey, Nobel prize-winning atomic scientist ..... .10

Speech by U. S. Senator William Langer ..... .10

Western Political Quarterly review of John Wexley's book ..... .10

Order from

The Committee to Secure Justice for Morton Sobell
940 Broadway, New York City 11 **AL 4-9983**

100-107111-1B727

Dear Friend,

This is being written at 2 a.m., just after I have finished reading The Judgment Of Julius and Ethel Rosenberg by John Wexley. This (review) is solely and wholly the work of Brett Halliday.

In order that you may have some basis for assessing and evaluating the opinions I am going to express, I think it will be well to also put the following facts on record:

I am not a bleeding heart social reformer.

I am not a Jew.

I am not a communist.

I am a native American 51 years old, a registered Democrat who occasionally votes Republican. I am married, the father of one seven-year-old daughter, the owner of a dog, a cat, a canary and two goldfish. I own my home in Westport (subject to a large mortgage held by the Prudential Insurance Co.) and I manage to eke out a fair living under our system of Capitalism.

I have a sincere and fervent desire to be proud of my country and my fellow Americans.

Reading this book of John Wexley's has been a soul-shattering experience for me. It is a huge book, terrifying and sick-making. I finished the last page of Appendix 22, page 664, about an hour ago, and I have been walking the floor in agony since then.

As I sit here at my typewriter and lift my head to stare at the window beyond which in the darkness lies America, I am frightened and nauseated.

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What sort of America is my daughter going to grow up in? What sort of heritage am I going to leave her? Can I as a father remain silent tonight after reading this book and feeling as I do about it?

No. I would be a lousy father if I did that. And I want to be a good father.

To me there is only one basic and inescapable conclusion that can be reached by any intelligent person who reads this book objectively.

Either the facts presented are untrue, and/or the author's interpretation is incorrect.

Or the facts are true and the author's interpretation is correct.

If the first conclusion is the right one, it seems to me that J. Edgar Hoover, Irving Kaufman, Irving Saypol and Roy Cohn (to say nothing of a host of underlings) should immediately start suit against the author and his publishers for malicious and vicious libel.

If the second conclusion is correct, it seems to me that J. Edgar Hoover, Irving Kaufman, Irving Saypol, Roy Cohn, et al. should be indicted and tried for conspiring to murder the Rosenbergs.

I have no way of determining whether the facts and/or the author's interpretation of them are true or false. I only know that this book was published in June, and thus far I have seen no public announcement of any legal action against the author or his publishers. To me this indicates they do not have any grounds for such action.

Let's stop and think about this for a moment. What does this mean to you as an American — to my daughter who will grow up in an America that looks the other way

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in a subject fear and completely ignores the most accusative and inflammatory piece of writing since Zola took pen in hand to reopen the Dreyfus case. Frankly, I shudder as I contemplate the only logical answer to that question.

This is an exceptionally well documented book. Hardly a page does not carry one or more footnotes citing sources. The appendices are full and well chosen and the book is carefully indexed.

I feel certain that many of my readers [illegible] knew the publisher, Angus Cameron, in happier days when he was the respected and beloved chief editor of a major publishing house. And I hope a goodly number of them will order a copy of this book and read it, if for no better reason than because a man like Mr. Cameron had the basic guts and the essential qualities of Americanism to print this book and put it on the market.

An amazing review, isn't it? It was written for THE FAIRFIELD COUNTY FAIR, a Connecticut newspaper, by Brett Halliday, noted mystery writer. We feel that statements like this could only result from an amazing reading experience.

But The Judgment Of Julius and Ethel Rosenberg by John Wexley is much more than that. We believe that this book is a piece of history, and that a wide reading of it will go far in undoing the damage to civil liberties that has taken place in this past decade.

We urge you to order a copy today. You can fill in the order blank on our back page, or go to your favorite bookstore. May we remind you that, as a gift, this book is indeed a treasure for the future.

Sincerely,

WIDGE NEWMAN
For the Committee

700 10711 1859

L.A. SOBELL COMMITTEE
168 NORTH WESTERN AVE.
LOS ANGELES 4, CALIF.
HOllywood 4-1725

☐ Please send me _____ copies of The Judgment Of Julius and Ethel Rosenberg, by John Wexley.

Price $6.00

☐ I would like to work on the Sobell Committee.

Name _____

Address _____

Phone Number _____

100-10711-16709

THE ELSA SOBELL ANNOUNCER

VOLUME 3 NO. 3 NOVEMBER, 1955

THE ELSA SOBELL COMMITTEE IS HAPPY TO PRESENT THIS FIRST ISSUE OF A MONTHLY BULLETIN ANNOUNCING ACTIVITIES AND INTERESTING EVENTS. YOUR SUGGESTIONS AND CONTRIBUTIONS ARE MOST WELCOME.

REGIONAL COMMITTEE FORMED

REPRESENTATIVES OF ELSA AND SAN FRANCISCO SOBELL COMMITTEES MET IN FRESNO TO DISCUSS THE GROWING RESPONSE TO THE ISSUES INVOLVED IN THE SOBELL CASE. BOTH COMMITTEES FELT THAT THE TIME WAS RIPE TO FORM A REGIONAL COMMITTEE FOR THE PURPOSE OF CONTACTING THE GOOD PEOPLE IN THE ELEVEN WESTERN STATES WHO HAVE FELT CLOSE TO OUR FIGHT FOR JUSTICE. A SPRING CONFERENCE WAS TENTATIVELY SET WITH THE ENTHUSIASTIC DESIRE THAT ALL ELEVEN STATES AND CANADA BE PRESENT TO PARTICIPATE. ELSA REPORTED ON THE TREMENDOUS SUCCESS THAT THE USE OF THE WEKLEY BOOK, THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG, HAS WITH ON ALL AREAS OF THE COMMUNITY.

THE HENNINGS COMMITTEE

THE ENCLOSED HENNINGS COMMITTEE APPEAL IS BEING SENT TO ALL ORGANIZATIONAL AND COMMUNITY LEADERS IN THE ELSA AREAS AS WELL AS TO LEADING NEWSPAPERS AND MAGAZINES.

BRETT HALLIDAY REVIEW OF THE JUDGMENT

BRETT HALLIDAY, NOTED MYSTERY WRITER, MADE THE FOLLOWING STATEMENT: THAT WE ARE ENCLOSING AND WE ARE USING IT TO SUPPLIMENT [illegible] THE WEKLEY BOOK. IF YOU WISH ADDITIONAL COPIES, WRITE FOR [illegible]

WHAT'S MORE

THE ELSA ACLU EXECUTIVE BOARD APPOINTED A SUBCOMMITTEE OF THREE TO INVESTIGATE THE VIOLATIONS TO DUE PROCESS THAT TOOK PLACE IN THE SOBELL CASE. REV. STEPHEN WRITCHMAN DELIVERED A PULPIT EDITORIAL ON THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG WHICH WE ENCLOSE FOR YOUR READING.

JOHN WEKLEY SPOKE ON THE CASE TO SOME SEVENTY FIVE PEOPLE AT THE THURSDAY AFTERNOON BUSINESSMEN'S LUNCHEON CLUB AND TO AN EQUAL NUMBER AT THE BEVERLY HILLS WESTWOOD LODGE OF THE KNIGHTS OF PYTHIAS.

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THE L.A. RECEPTION FOR JOHN WEXLEY AT THE HOME OF MR. AND MRS. DAVID GRUTMAN WAS A HUGE SUCCESS. SOME 125 IN ATTENDANCE, INCLUDING FRANK SCULLY, WHO WAS INSPIRED TO DEVOTE HIS COMPLETE COLUMN IN WEEKLY VARIETY (OCTOBER 26TH) TO WEXLEY'S REMARKABLE BOOK. LONG BEACH AND THE VALLEY AREAS HELD SIMILAR AFFAIRS. THE NEWLY FORMED EASTSIDE COMMITTEE WILL HOLD THEIRS AFTER WE GO TO PRINT.

A FINE PROFESSIONAL ROUND TABLE ON THE BOOK WAS HELD AT THE HOME OF DR. AND MRS. ALEX PENNES. OVER SIXTY BOOKSELLERS ATTENDED.

A HALLOWEEN PARTY, GIVEN BY A NEW L.A. AREA MEMBER BROUGHT SOME FIFTY PEOPLE AND NETTED US SOME $80 AND A BRAND NEW ADDRESSOGRAPH MACHINE — A WELCOME SURPRISE.

HELEN SOBELL WILL BE IN L.A. FOR A FEW DAYS THE END OF THIS MONTH. THE L.A. AREA IS HAVING A RECEPTION FOR HER ON NOVEMBER 26TH, AND LONG BEACH IS HAVING AN EVENING ON THE 29TH.

AFTER A FEW OF US SAW THE NEW PLAY AT THE CIRCLE THEATRE, "OUR ILLUSTRIOUS UNCLE", WE DECIDED TO HAVE AN EVENING OF THEATRE — IF YOU PLEASE. IT'S REALLY A CHARMING PLAY AND TICKETS ARE AVAILABLE THROUGH ALL AREA GROUPS. WE JOIN US ON FRIDAY, DECEMBER 2ND.

NEW COMMITTEE FORMS

WE ARE PROUD TO WELCOME THE NEW EASTSIDE COMMITTEE FORMED LAST MONTH UNDER THE LEADERSHIP OF BEA STADLER. THEY HAVE NINE ENERGETIC MEMBERS, AND HAVE AMBITIOUSLY TAKEN AS THEIR FIRST PROJECT A RECEPTION FOR JOHN WEXLEY AND "THE JUDGMENT", WHICH WILL BE HELD ON THE 12TH OF THIS MONTH.

PLAINTIFF'S BATE PLANS

BECAUSE LABOR UNIONS HAVE RECENTLY TAKEN SUCH A FINE STAND ON CIVIL RIGHTS, THE L.A. COMMITTEE FELT THAT THIS WAS AN OPPORTUNE MOMENT TO DISTRIBUTE THE BRETT HALLIDAY REVIEW AND THE HENNINGS COMMITTEE APPEAL.

TWO THOUGHTS

MANY FRIENDS HAVE PLANNED TO HAVE HOLIDAY HOUSEPARTIES FOR SUPPORT OF OUR CAMPAIGN AND WE ARE ANXIOUS TO HOLD AS MANY AS POSSIBLE. WON'T YOU THINK ABOUT WHAT YOU CAN DO AND CALL US FOR WHATEVER HELP YOU NEED IN PLANS. ALSO, THERE ISN'T A FINER CHRISTMAS GIFT THAN "THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG" AND NO MATTER HOW SNOOGY CHRISTMAS IS A-COMIN', ORDER THROUGH US OR YOUR FAVORITE BOOKSTORE.

15 ¢

THREE MINUTES ... OR ... THIRTY YEARS?

THE NEW SPIRIT OF VENGEANCE HAS PERMITTED THINKING AMERICANS TO BECOME MORE AND MORE AWARE OF THE CONSISTENT ATTACK THAT HAS BEEN MADE ON OUR CONSTITUTION AND OUR CIVIL LIBERTIES.

WITH THIS CONCERN IN MIND ON OCTOBER THIRD, A SENATE SUBCOMMITTEE OPENED ITS INVESTIGATION OF CITIZENS' COMPLAINTS OF VIOLATIONS OF THE BILL OF RIGHTS. THIS SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS, MORE POPULARLY KNOWN AS THE HENNINGS COMMITTEE, WAS HEADED BY SENATOR THOMAS C. HENNINGS JR. (DEM.-MO.) ITS TWO OTHER MEMBERS WERE SENATOR O'MAHONEY (DEM.-WYO.) AND SENATOR LANGER (REP.-N.D.).

THE HENNINGS COMMITTEE WAS PUBLICLY ANNOUNCED A DESIRE TO RECEIVE SUGGESTIONS CONCERNING ITS FUTURE WORK.

IN RESPONSE TO THIS REQUEST, SOBELL COMMITTEES ACROSS THE NATION ARE URGING THAT AN INVESTIGATION BE MADE OF THE CASE OF MORTON SOBELL.

A STUDY OF THE SOBELL CASE REVEALS THAT THE FOLLOWING ISSUES FALL WITHIN THE HENNINGS COMMITTEE'S SCOPE OF INQUIRY:

1) TRIAL BY NEWSPAPER HEADLINES...
2) KNOWING USE OF PERJURED TESTIMONY BY THE PROSECUTION...
3) USE OF PAID PROFESSIONAL INFORMERS...
4) ILLEGAL KIDNAPPING OF MORTON SOBELL FROM MEXICO...
5) THE CRUEL AND UNUSUAL PUNISHMENT OF A THIRTY-YEAR SENTENCE...
6) CONFINEMENT ON ALCATRAZ AS A THIRD-DEGREE PRESSURE...

THE RIGHT TO A FAIR TRIAL IS THE MOST IMPORTANT SINGLE GUARANTEE OF CITIZEN SECURITY. THIS OPPORTUNITY TO OBJECTIVELY AID THE SOBELL CASE DEPENDS ON YOU.

WILL YOU TAKE THREE MINUTES RIGHT NOW AND WRITE A PERSONAL NOTE URGING AN INVESTIGATION OF THE CASE OF MORTON SOBELL. PLEASE ADDRESS:

SENATOR THOMAS C. HENNINGS, JR.
CHAIRMAN, SENATE SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS
SENATE OFFICE BUILDING
WASHINGTON, D.C.

THANK YOU.

B 930

LOS ANGELES SOBELL COMMITTEE
4681 NORTH WESTERN AVENUE
LOS ANGELES 4, CALIFORNIA
HOLLYWOOD 6-6728

FOR YOUR FRIENDS WHO HAVE NOT YET JOINED US:

I WOULD LIKE TO BECOME A MEMBER OF THE SOBELL COMMITTEE IN MY AREA....

NAME _____

ADDRESS _____

PHONE _____

16130

THE L.A. SOBELL ANNOUNCER

VOLUME 1 NO. 15 APRIL 1956

MOVING INTO FINAL PHASE OF CAMPAIGN MOTION FOR NEW TRIAL WITS COURT THIS MONTH

Our attorneys have informed us that they are now prepared to proceed in the courts in April, to demand a new trial for Morton Sobell.

We are now moving into the final phase of the campaign. How long that "final phase" will take will depend on many factors. It is designed, however, to win executive action or to win in the courts.

FUNDS ARE URGENTLY NEEDED so that we can initiate a tremendous campaign at the crucial moment. No effort or expense must be spared in putting this new evidence before the nation. The big step toward freedom for Sobell is about to be taken. Its success depends on all of us.

TRIBUTE DINNER HONORING DAN MARSHALL SET FOR JUNE 30TH

The Rosenberg Memorial Month will be marked in L.A. by a dinner in honor of Daniel Marshall, attorney, whose legal role in the Rosenberg-Sobell case was largely responsible for securing Justice Douglas' stay of execution.

Many voices will take part in paying tribute to this much-loved and respected member of the Bar. The dinner will be held at the NICKABOB Restaurant on June 30th, a Saturday evening. Mark it on your calendar now, and plan to attend. Dinner will be $10 a plate.

BERTRAND RUSSELL SPEAKS FOR FREEDOM, DESCRIBES SOBELL AS AN INNOCENT MAN

London, March 27 — Bertrand Russell trapped the FBI for its "attrocities". He made his charge in the MANCHESTER GUARDIAN hoping to enlist the paper's support for Morton Sobell. He described Sobell as an innocent man condemned as a result of political hysteria.

Russell said the "technique" used by the FBI was to find a man whom it could prove guilty of some offense and then promise him immunity if he would manufacture evidence against people who could not otherwise be indicted.

"After a sufficient number of secret interviews, the FBI descends upon innocent people with a posse of terrified perjurers and in the hysteria every word uttered by the perjurers is accepted as the Gospel truth," he declared.

MRS. MORTON SOBELL IN L.A. APRIL 5TH WEEKEND

Helen Sobell will be in the L.A. area for a few days. On Saturday, April 7th, the Valley Sobell Committee has planned an evening with her at 13120 Bloomfield in Sherman Oaks.

On Sunday, April 8th, the Eastside Sobell Committee is having a brunch at 1257 Van Pelt Avenue. On that evening, Mrs. Sobell has been invited to a reception in San Diego.

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THE AREAS

EASTSIDE: The Eastside Committee has had another successful social this month. They are planning their large community affair at the City Terrace Cultural Center on May 20th.

L.A.: The L.A. Area has been busy with distributions, Sexley book contacts, concerts and socials. They received a nice "coming" in the L.A. REPORTER this month. They have been approaching Reverends, Libraries and commentators with "The Judgment".

VALLEY: The Valley group has sent out a thousand invitations for their evening with Helen Sobell, and are planning their activity for the coming period.

LONG BEACH: Long Beach has been involved with theatre parties for the Committee. The LUNCHEON CLUB has already sent in half of its June pledge. They have also been involved with contact work and the Sexley book.

SAN PEDRO: They have distributed 25 copies of the Sexley book to date and are joining with the Long Beach area for future activity.

ROSEMEAD: They have 500 pieces of material for key distribution.

WHAT'S MORE: We spoke for the Downtown Forum this month. At the end of the meeting we received an unusual gift for Morton Sobell. Wrapped in a piece of paper addressed to "People's Hero #996" was a used Westclox pocket watch with a message which read: "Your time is our time. Time is with us. A Supporter"

ALCATRAZ

Far!

Three thousand miles is far?
It but begins your journey.

Once there a boatman scans a list
And beckons names on board.
Ferries them across —
Across the sea of death?
No, not death, not even dying.
Life is there, and loving.

Arrived? Arrived?
Not yet arrived.
When you have passed through the eye,
(The magnetic eye of Alcatraz which
Turns its master with its ringing.)
When you must censor
The heart that always hopes,
And hold it from its leaping.

The happy ending now?
The sweetest kiss, the embrace
That brushes off the heavy dust
Of ever present yearning?
And hand in hand to live the words
That part the lips and make
Of time and distance, nothing?
Of trial and terror, nothing?

It was not like that.

Kiss the wall and caress the glass.
Feast, after your lonesome fast.
Cherish this joy, warner your pleasure
Emptiness demands it back, full measure.

Here is studied destruction.
Scorched sorrow engulfed by shifting sand.
Sadly we fill and empty our cups.
Our moments beyond our command.
We must drink of our love, taste of our truth,
Seconds must be the days, the years, of our youth.

By HELEN SOBELL

1B731

WILL YOU --

RITE TO THE HENNINGS COMMITTEE AND URGE AN INVESTIGATION OF THE CASE OF

ORTON SOBELL, Address

SEN. THOMAS C. HENNINGS,

SENATE OFFICE BUILDING,

ASHINGTON, D. C.

SEND YOUR DOLLARS FOR FREEDOM THIS MONTH SO THAT WE CAN REALLY

OVE FORWARD --

JOIN FOR JUSTICE

WOULD LIKE TO MEET WITH MY AREA

SOBELL COMMITTEE.

NAME

ADDRESS PHONE

1B731

Los Angeles Sobell Committee
[illegible]65 North Western Avenue
Los Angeles 4 California
[illegible]Ollywood 4-4725

18731

b7D

I AM "INNOCENT"

b7D

Prisoner on Our Conscience

Morton Sobell, imprisoned in Alcatraz on a 30-year sentence, asserts his innocence and is fighting for a new trial. Millions of people believe he is telling the truth — that he is victim of a terrible injustice. Eminent Americans have declared that he was convicted on perjured testimony in an atmosphere of public hysteria. Our committee, made up of people who want to uphold justice in our country, asks YOU to look at the facts.

No Evidence

There was no documentary evidence — not so much as a scrap of paper introduced by the prosecution to prove Morton Sobell had committed a crime. The charge against him was "conspiracy to commit espionage," and he was tried in 1951 with Julius and Ethel Rosenberg. Sobell was convicted on the unsupported testimony of one witness, a man named Max Elitcher. Elitcher admitted on the witness stand that he had previously lied under oath, and that he feared a prison sentence for perjury. Would you want your fate to depend on the word of an admitted liar who stood to save himself by accusing you?

Trial Never Reviewed

Despite the illusion that the Rosenberg-Sobell case has been reviewed, it is a fact that the fairness of the trial has never been reviewed by the Supreme Court. As Supreme Court Justice Hugo Black said: "It is not amiss to point out that this Court has never reviewed this record and has never affirmed the fairness of the trial below." Surely a case of this magnitude requires a review.

Justice Demands New Trial

We say let there be a new trial so the full truth can come out. A man's life is at stake. Justice is at stake. Attorneys for Morton Sobell have new evidence that perjured testimony was used against Morton Sobell . . . President Eisenhower has authority to direct the Justice Department to agree to a new trial. Or he can pardon Morton Sobell, or commute his sentence to the six years already served. Will you do as thousands of others are doing? Write a letter today to President Eisenhower, Washington, D. C., asking him to take favorable action.

HEAR MORE FACTS at the

"Prisoner on Our Conscience"
MEETING FOR
MORTON SOBELL

Auspices of
COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
940 Broadway, New York City — ALgonquin 4-9983

CARNEGIE HALL
TUESDAY
MAY 15
8:00 p. m.
57th St. and 7th Ave.
Admission: $1.50
(tax incl.)

100-107111-18732

The Public Conscience Speaks on the case of MORTON SOBELL

(Some of the following comments were made concerning a new book on the Rosenberg-Sobell case, John Wexley's THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG)

U. S. SEN. WILLIAM LANGER: "I pledge that everything I can do as a member of the Judiciary Committee of the U. S. Senate will be done to see that Sobell gets justice."

* * *

JUDGE PATRICK H. O'BRIEN, Detroit, Mich.: ". . . In accordance with our inheritance as a liberty-loving nation, I urge the immediate release of Morton Sobell."

* * *

DR. HAROLD C. UREY, atomic scientist and Nobel Prize winner: "The integrity of Justice as it is administered in the United States is at stake . . . Mr. Sobell was not properly tried and the verdict and sentence were not justified.

* * *

PROF. FRANCIS D. WORMUTH, Western Political Quarterly, published by the University of Utah: "Obviously the Department of Justice cannot answer all criticisms. But unless it answers Mr. Wexley's we must conclude that the Rosenberg case is our Dreyfus case, outdoing the first in sordidness, cruelty, and terror."

* * *

WALDO FRANK, novelist and essayist: "Sobell is a symbol of our responsibility, and of our danger, of the tragic danger to America if we permit this injustice to be done."

* * *

LORD BERTRAND RUSSELL, philosopher: "I am ashamed to say that at the time of the Rosenbergs' trial I did not look into the evidence. I have now done so. I am almost certain that the Rosenbergs were innocent. . . . But the Rosenbergs are dead and nothing can be done for them now. . . . Sobell, however, is alive and it is not too late for the United States government to make some reparation to him."

* * *

CATHOLIC WORKER: "If there is anything to be gained by writing the powers that be it would be fine if the readers of this review would request that Morton Sobell be given a new trial."

* * *

JOHN F. FINERTY, attorney in Mooney-Billings and Sacco-Vanzetti cases: "I believe that Morton Sobell received a rotten deal. Certainly his incarceration in Alcatraz is completely unjustified and demands immediate correction. . . . Whenever the public participates actively in righting a wrong, it strengthens the courts and all our institutions."

ELMER DAVIS, author and journalist: "Assuming that the record is here correctly cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Elitcher and the Greenglasses or much if any of that of Harry Gold."

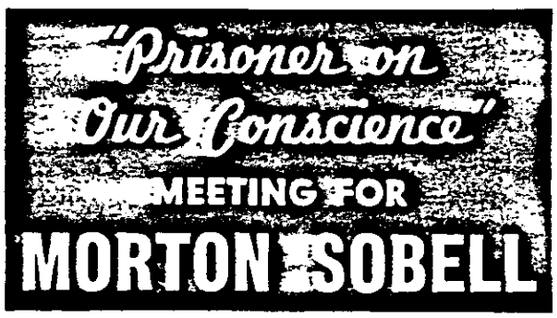
* * *

WALTER MILLIS, editor of the "Forrestal Diaries" and former editorial writer of the N. Y. Herald Tribune: "The evidence on which Morton Sobell was convicted was probably perjurious; if it were legally possible, the case ought to be reviewed on its merits, while in any event the 30-year sentence was grossly disproportionate to any crime actually attested against him."

* * *

NANCY F. WECHSLER, New York Post: "Whether Sobell should have been convicted on the meagre record against him . . . whether the tactics of the prosecution or the demeanor of the Judge impaired the fairness of the proceedings, whether the defendants were convicted and sentenced on a record which might not have produced the same results in calmer times — all these are real issues which call for honest appraisal."

HEAR MORE FACTS at the



Auspices of

COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL

940 Broadway, New York City • ALgonquin 4-9983

CARNEGIE HALL

TUESDAY

MAY 15

8:00 p. m.

57th St. and 7th Ave.

Admission: $1.50

(tax incl.)

100-107111-1873

The Lord Russell Debate

ON THE CASE OF MORTON SOBELL

From the "Letters to the Editor" column of the Manchester Guardian,

INFLUENTIAL BRITISH NEWSPAPER

Lord Bertrand Russell, eminent philosopher and mathematician, initiated an international discussion on the case of Morton Sobell, when he wrote the following letter published in the Manchester Guardian on March 26, 1956:

Letters to the Editor

THE SOBELL CASE

To the Editor of the Manchester Guardian

Sir,—I am writing to enlist your support in the case of Morton Sobell, an innocent man condemned as a result of political hysteria to thirty years in gaol and at present incarcerated in Alcatraz, the worst prison in the United States. He was sentenced as an accomplice of the Rosenbergs in espionage. I am ashamed to say that at the time of the Rosenbergs' trial I did not look into the evidence. I have now done so. I am almost certain that the Rosenbergs were innocent and quite certain that the evidence against them would not have been considered adequate if prejudice had not been involved. But the Rosenbergs are dead and nothing can be done for them now except to hold up their official murderers to obloquy. Sobell, however, is alive and it is not too late for the United States Government to make some reparation to him.

The facts in his case are briefly as follows:— He had a friend named Elitcher, who had been his best man. Elitcher had stated on oath that he had never been a Communist. The F.B.I. discovered that in making this statement he had committed perjury. They let him know that he could escape punishment if he would denounce other people as accomplices in treasonable activities. He decided to save his own skin by denouncing his best friend, Sobell. While negotiations in this sense were going on between him and the F.B.I. Sobell and his wife and their two small children went to Mexico. Sobell toyed with the idea of not returning to the United States, but rejected it. His decision to return became known to the F.B.I., which had determined to present him as a fugitive from justice. In order to be still able to present him in this light, they hired thugs, who beat him into unconsciousness, hustled him and his wife and their two children into fast cars, and drove them without stopping from Mexico City to the United States frontier. There they were handed over to an immigration officer, who falsely stamped their card of entry with the words "Deported from Mexico" although the Mexican Government had not been privy to the kidnapping and had expressed no intention of deporting them.

When Sobell was brought to trial these facts were not mentioned as his counsel considered that any criticism of the F.B.I., however justified, would only increase the severity of his sentence, his condemnation being regarded by his counsel as certain in spite of lack of evidence. The judge instructed the jury that they could not find Sobell guilty unless they believed Elitcher. Elitcher, because he was useful in this trial, has never been indicted for his acknowledged perjury and, in spite of his being known to be a perjuror, every word that he said against Sobell was believed.

People express scepticism when it is said that most Germans did not know of Nazi atrocities, but I am sure that the immense majority of Americans are quite ignorant of the atrocities committed by the F.B.I. They do not know of the standard technique of these defenders of what, with cynical effrontery, they still call "The Free World." The technique is one with which we have been made familiar in other police States such as Nazi Germany and Stalin's Russia. The police find a man whom they can prove to be guilty of some offence and they promise him immunity if he will manufacture evidence against people who could not otherwise be indicted. Perjury is especially useful as a lever because many people who have been Communist in their student days rashly hope that this can be concealed and swear that they were never Communists. After a sufficient number of secret interviews the F.B.I. descends upon innocent people with a posse of terrified perjurors and in the general hysteria every word uttered by the perjurors is accepted as gospel truth.

LORD BERTRAND RUSSELL

I do not suppose for a moment that President Eisenhower is aware of this well-established technique. If he knew of it, he would not only feel the revulsion which all decent people must feel, but would realise that every such case which becomes known outside the United States turns hundreds of thousands of people, if not into Communists, at least towards neutralism and away from the policy of N.A.T.O. For this large reason of public policy, as well as from motives of humanity and justice, it is to be hoped that some-

Continued on next page ▷▷▷

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thing will be done to cure the F.B.I. A beginning might be made by the release of Morton Sobell or at least by ordering a new trial of his case.—Yours &c., BERTRAND RUSSELL

41 Queen's Road, Richmond, Surrey.

Lord Russell's letter brought several replies. The following were cri

Letters to the Editor

THE CASE OF MORTON SOBELL

To the Editor of the Manchester Guardian

Sir,—The trial of the Rosenbergs was followed closely by everyone in the United States. When the trial was concluded and the verdict delivered, there was not one faction or group or section of the public, with the exception of the Communist party, that did not believe that justice had been done.

Before we look at the "facts" of the Sobell case or discuss the "American Police State," let us examine the mission and the limitations of the Federal Bureau of Investigation. Briefly, it was formed to aid the Federal Government and the separate state, municipal, and county law-enforcement agencies (when they asked for help) in bringing to justice those criminals whose activities were interstate in nature. Further it made available scientific aids to criminology which the local agencies could not afford. In fact the Bureau pursued the activities of those organizations which sought to destroy the United States from within, under the same scope and limitations.

Let me point out the specific limitations on members of the F.B.I.

(1) They have no power of arrest whatever.

(2) Their activities are restricted to the continental limits of the United States.

(3) They do not prosecute for the State, or hold any special position in a trial. They are called to testify as any citizen.

(4) They have no right of search.

(5) They may not initiate an investigation on their own.

They are not a police agency, but an investigating agency. I have never known a "thug" to work for them in any capacity. The agents must be, for the most part, university and law-school graduates. I have never known or heard of the F.B.I. "beating up" anybody.

But the "facts" of the recent letter not only implicate the F.B.I., but also the United States Bureau of Immigration, the Mexican Government, and the Federal Court System, who were in a vast conspiracy to thwart justice. I suggest that we submit the "facts" of the case to the observations above, and that we ask where the correspondent gained these "facts." The concluding half of the letter to which I refer does not justify any acknowledgment. Anyone who compares Nazi Germany and Communist Russia with the United States will not be dissuaded by a simple letter.—Yours &c.,

WADE N. MACK.

St Catherine's Society, Oxford.

To the Editor of the Manchester Guardian

Sir,—I was absolutely astounded to read, somewhat belatedly, the letter on March 26 from Lord Russell. Is it possible that such a thing could have been written by that great man? Surely with so much in this world which unhappily fails to meet his high philosophical standards he could find something better than the case of Morton Sobell for his crusading pen.

In any case he could do a better job of presenting his arguments. What, pray, does he use as a base for his purely emotional claim that Alcatraz is the "worst" prison in America? Personal experience? In actual fact Alcatraz is the "worst" prison in America solely from the standpoint of the prisoner who wishes to escape. I suggest to him that he makes a comparative tour of prisons both here and in America before he attempts to enlist support for a convicted criminal.

From this shameful beginning—for so acute a mind—Lord Russell goes on to quote facts which, so far as I am aware, have never reached public notice. Yet apparently he has some secret source of knowledge which he does not feel pressed to reveal. Where, for example, does he find the story that Sobell was
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To the Editor of the Manchester Guardian

Sir,—It is perhaps presumptuous for a young American to challenge an aged and eminent man like Lord Russell. But surely he himself would admit, on reflection, not only that the language of his letter published by you on March 26 was intemperate, but also that he had overstated his case. I think, with all due deference to his justly earned reputation, that he has done more than that. I think that his letter represents McCarthyism in reverse.

Now, as to the Sobell-Rosenberg case itself. I frankly admit that I have not read the entire record as Lord Russell seems to have. But I have followed the case closely and discussed it with lawyers of various political persuasions. Most would agree that "official misconduct" had been committed, nor can it be maintained that Sobell was convicted on the evidence of Exhiter alone. That the sentences given in this case were harsh, and that the verdicts were wrong in the utmost that I think informed non-Communist liberals in America would admit.

Secondly, as to the rôle of the F.B.I. Lord Russell flits easily from unsubstantiated charges in this instance to a blanket indictment of the "well-established technique" very similar to "Nazi atrocities." I question the accuracy of the first and absolutely deny the phantasmagoria of the second. The F.B.I. has been justly criticised on occasion, like all security services, but to compare it with the agents of "other police States" is simply fantastic, and a charge which furthermore, by implication, asserts that the Supreme Court and the Presidents and officials of both Democratic and Republican Administrations have been false to their oaths to uphold the Constitution. This charge I flatly reject, even when Lord Russell palliates President Eisenhower's guilt by making it guilt by ignorance.

Lastly, as to the effect of the letter which you published. I cannot imagine that Lord Russell seriously believes that such a shrill and distorted protest can serve any useful purpose as far as Sobell is concerned. His letter can only please those who welcome Anglo-American discord.—Yours &c.,

BRADFORD PERKINS, Assistant Professor of History, University of California, Los Angeles.

81a Coleherne Court, Old Brompton Road, London S.W. 5.

Note: All letters are reproduced
they appeared in The Manchester

Additional letters in suppor
statement on the Sobell cas

To the Editor of the Manchester Guardian

Sir,—The reactions of my American countrymen to Lord Russell's original letter on Morton Sobell are more alarming than the actual contents of that letter. Such over-righteous indignation comports ill with America's pride in its capacity for self-criticism. Some of your correspondents assume that criticism of the F.B.I. must be unfounded, must be merely anti-American, must be the result of falsifying and distorting some facts and inventing others. These things I find

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he Lord Russell Debate

THE CASE OF MORTON SOBELL

tical:

beaten in Mexico and the United States? Who at the defence counsel st not to present the story rial? And how does he be an authority on the he F.B.I.?

mong my friends a sub-ber of young men who are n agents for the Federal Investigation and I can after fifteen years of erience that Lord Russell's re not only without foun-ordering on the hysterical. us that a man of his accom-an produce a letter full of claims and opinions and o demand action—his sort rom readers who have e to go on than his reputa-power of his hortatory I suggest that he re-facts, review his paucity e of the case, reconsider al fervour, restrain his al, and rewrite his letter.

ROBERT H. ROSE.
er Barn, Whitchurch,
kinghamshire.

n full as
Guardian

of Lord Russell's

it inconceivable to associate with Lord Russell; though his letter surprised me, it was clear that the appropriate response was to inquire further, seek more information from Lord Russell (such as he supplied in his second letter), and weigh his charges as objectively as possible. Your correspondents merely piped shrill polemics, told stories about fine young F.B.I. agents they have known, and even tried to discredit Lord Russell's claim by ad hominem remarks which were clearly intended to discredit him. This

Continued on next page

Lord Russell replied:

To the Editor of the Manchester Guardian

Sir,—The letter from Professor Perkins which appeared in your issue of March 31 demands an answer. It is possible to read through the whole of the official report of the judicial proceedings in the Sobell case without learning many of the most important facts. Some, however, can be learnt from the official report. Professor Perkins objects to my saying that Sobell was condemned on the evidence of Elitcher alone. As to this, Judge Irving Kaufman in his charge to the jury said: "If you do not believe the testimony of Max Elitcher as it pertains to Sobell, then you must acquit the defendant Sobell." Elitcher's motives for giving false testimony do not, of course, appear in the official report. But the interesting fact does appear there that the chief agent in the prosecution was McCarthy's now discredited henchman Cohn.

I should be glad to know how Professor Perkins would defend the kidnapping of Sobell and the illegal stamping of his card by the United States immigration officer as "Deported from Mexico." As for the "blanket indictment" of the F.B.I., everybody knows at least the use that the F.B.I. has made of repentant Communists. It is generally recognised in modern times that confessions extorted by torture in past ages are unreliable, but it is thought that testimony extorted from confessed perjurors by the threat of prosecution should be accepted without question.

Professor Perkins doubts whether my letter can have any useful effect. I had hoped that it might induce a re-examination of Sobell's case in America, though Professor Perkins's letter makes me fear that I was too optimistic in this respect. To pass to more general considerations, I most earnestly desire good relations between the United States and my country, and I think it important that Americans should realise what an obstacle to such relations is created by authorised injustice. The cases of Oppenheimer and Lattimore did much harm in this respect, and even more has been done by the Rosenberg-Sobell case. It is not only for the sake of justice, but also for the preservation of Anglo-American friendship that I think a revision of Sobell's trial important. Such cases supply ammunition for Communist propaganda in Britain and Western Europe, and do far more than most Americans realise to help the Communist cause.

Mr Wade N. Mack points out the limitations to the legal powers of the F.B.I. Has he never heard the ancient quip "Quis custodiet custodes"? He goes on to say that he has never known a "thug" to work for the F.B.I. and has never known of the F.B.I. beating up anybody. This, I do not deny: but I think he might remember Dr Johnson's remark, "Sir, what you don't know would fill a very large book." Mr Mack is mistaken in saying that I implicate the Mexican Government. On the contrary, it was not a party to the action against Sobell.

Mr Corliss Lamont, of the well-known American banking family, writes to me:

"I was much interested in the 'New York Times' story of March 27, giving a summary of your views on the Federal Bureau of Investigation. From my own personal experience I can assure you that you have not exaggerated the situation. . . . Liberals and Radicals throughout the U.S.A. are fearful that the F.B.I. is tapping their 'phone, has installed a secret microphone in their living-room or car, opens their mail, or goes over the contents of their wastepaper basket. Because I have an independent income, I am not bothered by such possibilities as much as many other people."

Mr Robert H. Rose seems to object to my quoting facts which have never reached the public and to accuse me of some secret source of knowledge. My sources of knowledge were all in published material. There is a very full account both of the Rosenberg case and of the Sobell case in a large book called "The Judgment of Julius and Ethel Rosenberg" by John Wexley, published by Cameron and Kahn, New York. Mr Elmer Davis, the radio commentator, said after reading this: "Assuming that the record is here correctly cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Elitcher and the Greenglasses, or much if any of that of Harry Gold." There is a brief summary in a leaflet called "The Facts in the Case of Morton Sobell," published by "The National Committee to Secure Justice for Morton Sobell," 1050 Sixth Avenue, New York 18. There is also a pamphlet called "U.S. Senator William Langer Asks Justice for Morton Sobell," and an informative pamphlet published by the same committee called "Atomic Scientist Harold Urey Asks Justice for Morton Sobell."

Dr Harold Urey, who is a Nobel Prize man of by no means Left-wing opinion, said: "The integrity of justice as it is administered in the United States is at stake . . . Mr Sobell was not properly tried and the verdict and sentence were not justified." Judge Patrick H. O'Brien, Detroit, Michigan, said: "In accordance with our inheritance as a liberty-loving nation I urge the immediate release of Morton Sobell." Perhaps when Mr Rose has studied these documents he will admit that my letter was not full of unsupported claims.

In conclusion, I cannot do better than offer him the advice which he so kindly offers to me, "that he re-examine his facts, review his paucity of knowledge of the case, re-evaluate his emotional fervour, restrain his crusading zeal, and rewrite his letter.

—Yours &c. BERTRAND RUSSELL.
41 Queen's Road, Richmond,
Surrey.

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Continued from page 2

technique only lends colour to his complaints.

Indeed why do these self-appointed spokesmen for the United States get so emotional when America is referred to as a Police State? Why is it so absurd to compare the United States to Fascist Germany and Communist Russia? If such charges are false then they are false; it should be easy to prove it. But why the hysterics? Is it not perhaps that prima facie at least the last six years of American internal affairs make such imputations plausible? Who will come forward and explain to the outside world the Gray Report on Dr Oppenheimer—a travesty of democratic inquiry? Who will ease the minds of intelligent Europeans and Asians when they peruse the documents of the Rosenberg trial (cited in Lord Russell's letter of April 5) and the hearings concerning Professor Lattimore? Who will set into a sympathetic perspective the inquisition of university staff in the United States, and the spineless of the American Association of University Professors when liberal thinking was being crushed out of higher education? A large number of my friends and colleagues teaching in American universities are horrified and ashamed of the way in which their superiors cagged before the blusterings of McCarthy and his gang. They would be horrified also by Mr Wade Mack's confidence that only Communists were unhappy about the Rosenberg trial. Then there are the Jenners, the Velde, the Brownells, and the army of creatures who work for them.

Lord Russell's serious accusations against the F.B.I. are hardly out of phase with what America has been teaching the world to think of it. Though his charges are hard to accept as they stand, I would hear more and request of your correspondents that they cease trying to scream him down. And if he can substantiate his remarks Americans must be grateful to him and not demand an apology. What is needed is an American apologist who can set out the events occurring in America since 1950 in a way which will make it clearer to Asians and Europeans than it is now, that the United States is not a Police State, and resembles in no essential way Fascist Germany and Communist Russia.—Yours &c.

NORWOOD RUSSELL HANSON.
11 Brookside, Cambridge.

Letter by Sydney Silverman, Member of Parliament:

To the Editor of the Manchester Guardian

Sir,—Even in one's own country it is only when real conviction is based upon close study of the evidence that one cares in a criminal case to challenge the final verdict of the appropriate court. A case subject to a foreign jurisdiction no doubt calls for even greater caution—and diffidence. But the case of the Rosenbergs, for whom nothing can now be done, and of Mr Sobell, who is still alive—so far as existence in Alcatraz can properly be so described,—has aroused world-wide interest for several years.

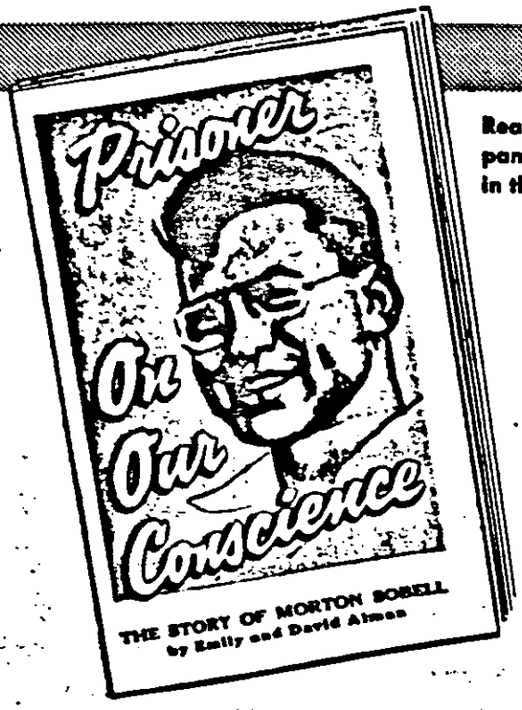
In June of last year Mr John Wexley published in America a long and fully documented account of the matter under the title of "The Judgment of Julius and Ethel Rosenberg." It runs to 664 pages, including 22 appendices. So far as I know, no action has yet been taken against the author or publishers, nor, again so far as I know, is any action contemplated. Yet it contains statements of fact and express inferences from those facts which, if they were made in corresponding circumstances in this country, would leave both author and publishers with no defence, not merely against many libel actions, but against proceedings for gross contempt of court: unless indeed they are true. If they are true, and they do not seem to have been challenged, all these convictions are quite plainly gross miscarriages of justice. If they are not true, I cannot understand Mr Wexley's immunity, nor why no injunction against further publication has been sought. For myself, I have little doubt that they are substantially true. One day, I am confident, the United States will be as ashamed of these trials as they already are of the Sacco and Vanzetti affair and as France is of the Dreyfus case.

It is not possible to re-try these cases in the correspondence columns of a newspaper. But perhaps the views of some representative Americans may be of interest. The trial judge made it abundantly clear that the case against Mr Sobell rested upon the sole evidence of one Elitcher, a man who had already been convicted—he has never been sentenced—of perjury. Of his evidence Mr Elmer Davis declared: "I cannot believe the evidence of Elitcher," and Mr McWilliams in "The Nation": "His testimony is 'inherently incredible.'" Professor Love, professor of law in the North-Western University, has said: "The 30-year sentence imposed upon Morton Sobell is a blight upon the reputation of American justice." Judge Frank, in a dissenting judgment in the Circuit Court of Appeals, said: "There was error, in this respect, which requires that Sobell be given a new trial." while Dr Harold C. Urey, a well-known atomic scientist and a Nobel Prize winner, has declared: "The integrity of justice as it is administered in the United States is at stake. . . . Mr Sobell was not properly tried and the verdict and sentence were not justified."

No human institution is infallible. No one expects it to be. What undermines confidence in the administration of justice is not doubt about its infallibility but doubt about its integrity. To refuse a new trial and at the same time to allow Mr Wexley's book to go unrefuted would be difficult to reconcile with good faith.

One final word. What possible justification can there be for confining Mr Sobell in Alcatraz?—Yours &c.,

SYDNEY SILVERMAN.
House of Commons.



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Speech by U. S. Senator William Langer ..... .10

Western Political Quarterly review of John Wexley's book ..... .10

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Press Release

RELEASE FOR AMS OF WEDNESDAY, MAY 16

COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL
940 Broadway, New York 10, N. Y. → AL 4-9983
From the desk of: Ted Jacobs

LORD RUSSELL SAYS INJUSTICE TO SOBELL HARMS U.S.

PROF. LOVE CITES TRAGEDY THAT SUPREME COURT NEVER REVIEWED TRIAL

SOBELL'S MOTHER TELLS OF EUROPEAN TRIP

NEW EVIDENCE DISPLAYED; AUTHOR JOHN WEXLEY SAYS TESTIMONY OF GOLD, GREENGLASS BEFORE SENATE SHOWS NEW LIES

NEW YORK, May 15--Lord Bertrand Russell, eminent philosopher and mathematician, asserted in a statement made public tonight that the "miscarriage of justice" in the Sobell case has harmed the "fair name" of the United States.

The message from Lord Russell was read at Carnegie Hall at a public meeting held at 8 p.m. tonight (Tuesday) under auspices of the Committee to Secure Justice for Morton Sobell. Last week Sobell, who is imprisoned in Alcatraz on a 30-year sentence imposed in the Rosenberg trial, filed a motion in U.S. Federal Court demanding freedom or a new trial on ground that the prosecution had knowingly used false evidence and testimony against him. Sobell, who was accused of "conspiracy to commit espionage", asserts his innocence.

"I am very glad that a movement is on foot to secure justice for Morton Sobell," said Lord Russell, who is convinced of Sobell's innocence. "The evidence upon which he was convicted was not such as any court of justice would have thought adequate in a case not involving hysteria. I am profoundly convinced that the verdict against him was unjust and the sentence monstrously vindictive. What is very widely felt to be a miscarriage of justice in the case of the Rosenbergs as in that of Morton Sobell has done more harm to the cause for which the prosecutors stood than has been done by all the admitted acts of espionage. For the sake of the fair name of the United States as well as in the interests of common humanity, I ardently hope that this cruel injustice to an innocent man will be brought to an end at the earliest possible moment."

Stephen Love, Chicago attorney and professor of law at Northwestern University, addressed the meeting and asserted that a great tragedy in the case was the failure of the U.S. Supreme Court to review the trial. Professor Love declared:

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"The great tragedy of this case is that in a case of this highly controversial nature, where the evidence was so insufficient, where the court-room and outside atmosphere were so inimical to the defendant, where the possibility of a fair trial was so obviously impaired, nevertheless the Supreme Court refused to pass upon the case, refused even to consider the full record.

"And the press, and the commentators, and that portion of the public misled by them, cry that the defendant has had a fair trial and consideration by the Supreme Court!"

Displayed before the audience at Carnegie Hall were reproductions of documents submitted with Morton Sobell's court motion filed last week. The documents show that official records of the Mexican government prove that Morton Sobell had entered Mexico legally and had never been deported, contradicting claims by the prosecution in the trial.

Mrs. Rose Sobell, Morton Sobell's mother, reported on her three-month trip to England, France and Italy, from which she returned last week. She described her visits with eminent religious leaders, cultural figures, and persons of political prominence, to whom she appealed for support in her fight to free her son. She spoke with Lord Russell, members of Parliament in England, and visited with a representative of the Vatican.

"Wherever I went," Mrs. Sobell said, "I found that people have great love and respect for the United States. They have faith that a country with our traditions of justice will never let the injustice against my son stand. Everywhere I was met with warmth and an eagerness to help see justice done."

The meeting was also addressed by John Wexley, author of the book on the Rosenberg-Sobell case, "The Judgment of Julius and Ethel Rosenberg". Wexley, in discussing the motion now before the courts, went over point by point the charges that the prosecution had used perjured testimony, deceived the courts, and supressed evidence.

Wexley pointed to discrepancies in the recent testimony of Harry Gold and David Greenglass before the Senate Internal Security Committee. He said he had matched their testimony against their previous stories in the Rosenberg-Sobell trial and found that they "had dug even deeper holes for themselves and the government's case." He said these witnesses were "trotted out" in an effort to repair the holes in their testimony he had exposed in his book, and to stem the growing tide of public opinion that an injustice was done.

"In addition," Wexley said, "the Department of Justice was seeking to head off the motion filed in behalf of Morton Sobell last week exposing the knowing fraud and the illegal kidnapping perpetrated by the prosecution against this surviving victim of the Rosenberg-Sobell case."

The meeting was also addressed by Helen Sobell, Morton Sobell's wife, who said she was convinced her husband stood "on the threshold of freedom." She referred to the appeal to President Eisenhower, which she said she had made public last week. The appeal was signed by eminent Americans from throughout the country asking the President either to recommend a new trial, pardon her husband or commute his sentence.

CARNEGIE HALL
Tuesday, May 15, 1956

MORTON SOBELL

Speakers:

Judge Patrick H. O'Brien
Former Attorney General of Michigan

Stephen Lone
Professor of Law

John Wexley
Author of "The Judgment of Julius and Ethel Rosenberg"

Rose Sobell
Mother of Morton Sobell

Helen Sobell
Wife of Morton Sobell

Message from Lord Bertrand Russell

I am very glad that a movement is on foot to secure justice for Morton Sobell. The evidence upon which he was convicted was not such as any court of justice would have thought adequate in a case not involving hysteria. I am profoundly convinced that the verdict against him was unjust and the sentence monstrously vindictive. What is very widely felt to be a miscarriage of justice in the case of the Rosenbergs as in that of Morton Sobell has done more harm to the cause for which the prosecutors stood than has been done by all the admitted acts of espionage. For the sake of the fair name of the United States as well as in the interests of common humanity, I ardently hope that this cruel injustice to an innocent man will be brought to an end at the earliest possible moment.

BERTRAND RUSSELL

"Prisoner on our Conscience"

Morton Sobell, imprisoned in Alcatraz on a 30-year sentence, asserts his innocence and is fighting for a new trial. Eminent Americans have declared that he was convicted on perjured testimony in an atmosphere of public hysteria. There was no documentary evidence introduced by the prosecution to prove Morton Sobell had committed a crime. The charge was "conspiracy to commit espionage" and he was tried in 1951 with Julius and Ethel Rosenberg. He was convicted on the unsupported testimony of one witness, a man who admitted on the witness stand that he feared a prison sentence for previously lying under oath.

The Supreme Court has never reviewed his case.

A motion is now before the courts asking that Morton Sobell be freed or given a new trial. The motion charges that the prosecution knowingly used perjured testimony and deceived the courts.

Will you Help?

Join the many Americans who are writing letters to President Eisenhower, Washington, D.C., asking him to take favorable executive action in the Sobell case. The President has the authority to pardon Morton Sobell, to commute his sentence to the time already served, or he can ask the Attorney General to agree to a new trial.

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CARNEGIE HALL
Tuesday, May 15, 1956

MORTON SOBELL

Speakers:

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Former Attorney General of Michigan

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Professor of Law

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Tuesday, May 15, 1956

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Former Attorney General of Michigan

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John Wexley
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MAR 16 1954

Committee To Secure Justice For Morton Sobell

940 BROADWAY (Entrance on 22nd Street) NEW YORK 10, N. Y.

Algonquin 4-9983

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Dear Sir:

We are enclosing for your study a reprint of an article we believe to be of the utmost importance to justice in our country--a review which the distinguished Western Political Quarterly published of the new book by John Wexley dealing with the Rosenberg-Sobell case. The review's conclusion presents a vigorous challenge to the Attorney General's Office. Also enclosed are summaries of other comments on this book raising equally serious questions about the case.

If you have read Mr. Wexley's book and have not yet expressed your views, we are anxious to hear any comment that you may have, particularly with reference to the part of the case concerning Morton Sobell. If you have not yet read Mr. Wexley's book, we urge you to do so at your earliest convenience.

Complimentary copies are available for review in newspapers or other publications. Otherwise, copies may be obtained from our committee at the special price of $4.50. The book, which is 672 pages, retails for $6.--.

We believe a full discussion of Mr. Wexley's material is of great importance at this moment in view of Morton Sobell's efforts to obtain a new trial to prove his innocence.

Very sincerely yours,

Theodore Jacobs

Theodore Jacobs
Public Relations

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Some comments on

"THE JUDGMENT OF JULIUS AND ETHEL ROSENBERG"

by John Wexley

ELMER DAVIS, radio commentator and author: "Assuming that the record is here correctly cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Elitcher and the Greenglasses, or much if any of that of Harry Gold."

JAMES H. WOLFE, Former Chief Justice of the State of Utah: "It will stand as a work of reference and decide many undecided points as they arise in this tragic case."

INDIANAPOLIS NEWS: "...He raises an awful doubt that perhaps justice wasn't done, that a political frameup was successfully pulled off."

NEW YORK POST: "Whether Sobell should have been convicted on the meagre record against him...whether the tactics of the prosecution or the demeanor of the judge impaired the fairness of the proceedings, whether the defendants were convicted and sentenced on a record which might not have produced the same result in calmer times--all these are real issues which call for honest appraisal."

CLEVELAND CALL AND POST: "Some day, when the Rosenberg case has taken its place in history with the Dreyfus case in France, and the Scottsboro and similar cases here, copies of Wexley's remarkable work will be very difficult to obtain."

WALTER HEARD, professor of law, University of Chicago: "...should [illegible] wrong to Mr. Sobell, and in doing so to vindicate as far as possible our own intelligence, humanity and courage."

THE NATION: "It is Wexley's careful analysis of the complex pre-trial factual situation, and of the trial itself that enables him to provide the reader with a clear and satisfactory account of the case."

BRETT HALLIDAY, mystery writer: "This is an exceptionally well-documented book. Hardly a page does not carry one or more footnotes citing sources. The appendices are full and well chosen, and the book is carefully indexed."

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WALTER MILLIS, editor of "The Forrestal Diaries" and former editorial writer for the N.Y. Herald Tribune: "The evidence on which Morton Sobell was convicted was probably perjurious; if it were legally possible, the case ought to be reviewed on its merits, while in any event the 30-year sentence was grossly disproportionate to any crime actually attested against him."

MARGOT JACKSON, Akron Beacon Journal: "The people in this book--some free now, two executed, one in Alcatraz for life--become blood-and-breathing persons. The chain of events knotted here is as taut as any cloak-and-dagger story. But this one wrenches the mind, for the whole question remains: Was justice served?"

W. DEWITT MANNING, Rochester Democrat and Chronicle: "Inevitably, as time passes, discussion is heard concerning the possibility that in the trial and execution of Julius and Ethel Rosenberg, the net result has been to create two martyrs. In his monumental work, 'The Judgment of Julius and Ethel Rosenberg', John Wexley, author of a number of outstanding books, presents detailed findings concerning the conduct of the trial and numerous comments on the character of witnesses whose testimony was presented. He also suggests disturbing implications with regard to the cold war and national hysteria."

FRANK HAINS, The Clarion-Ledger--Jackson (Mississippi) Daily News: "This exhaustive (and often exhausting) study of the trial record and the Columbia Law Review summary would seem to indicate that there was not the proof 'beyond a shadow of a doubt' which the law demands; that the Rosenbergs were not convicted by the evidence against them, but by the temper of the times. Whether or not they were guilty in fact is a question which may never be answered."

PROF. FRANCIS D. WORMUTH, Western Political Quarterly (published by the University of Utah): "Obviously the Department of Justice cannot answer the criticisms. But unless it answers the charges, we must conclude that the Rosenberg case is our Dreyfus case, outdoing the first in sordidness, cruelty, and terror."

BROOKLYN JEWISH EXAMINER: "The Rosenbergs are beyond the power of justice, but their alleged accomplice, Morton Sobell, is in Alcatraz, serving a 30-year term. An investigation and a re-trial would seem warranted on the basis of Mr. Wexley's disclosures."

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The Western Political Quarterly

Vol. VIII, No. 4 December, 1955

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The Judgment of Julius and Ethel Rosenberg. By John Wexley. (New York: Cameron & Kahn. 1955. Pp. xiv, 672. $6.00.)

This book describes with a mass of detail the Rosenberg case, one of the most fascinating and significant trials of our generation. The author concludes that the Rosenbergs were entirely innocent.

This reviewer was advised that no one could review the book without reading the court record. He has been able, however, only to read the court opinions (195 F.2d 583, 200 F.2d 666, 10 F. Supp. 798, 10 F. R. D. 521, 345 U.S. 959, 345 U.S. 1003, 346 U.S. 271, 346 U.S. 273) and the note in 54 *Columbia Law Review* 219 (1954). But an impossibly conscientious reviewer could not be satisfied with reading the record: it would be much more important to duplicate all of Mr. Wexley's independent researches. And should not the reader of the review also read the record and repeat the investigation, rather than trust the reviewer's report? None of this is feasible. If Mr. Wexley has misquoted the record or misstated fact, we may expect corrections to be forthcoming from interested parties. In the meantime, here is the gist of the story as Mr. Wexley tells it.

Harry Gold was a laboratory assistant who was recruited as a Soviet espionage agent in 1932 by one Tom Black of Jersey City. Black carried a pet black snake coiled about his neck and tossed marbles to a pet crow which caught them in flight. Gold loathed communism and refused to join the Communist party, but to escape Black's importunities and to repay Black for finding him a job he agreed to the lesser course of serving as a Russian spy. Thereafter he dealt with a series of Soviet agents, all six feet

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two, blond, and with determined features; only one of them, however, walked on the balls of his feet with a catlike tread. In 1950 he confessed to being Klaus Fuchs' American contact; after Gold's confession Fuchs identified Gold. (Fuchs had previously rejected the photograph of Gold and had identified another man; Gold's appearance did not match Fuchs' description; Gold's story was at variance with Fuchs' in vital respects.)

Gold also had a private life. He fell in love with a beautiful girl named Helen with one brown and one blue eye, but she married a wealthy manufacturer of peanut-chew candy named Frank. Then, to save her from a white slaver, he married a "comely, good-looking young lady" named Sarah. Sarah bore him two lovely children, but later transferred her affections to a wealthy realtor. Thereafter Gold wistfully watched his children from afar as they played in the park. (Gold was never married.)

David Greenglass was a member of the Young Communist League, a graduate of public school and a trade school, and an automobile mechanic. To better himself he enrolled in the Brooklyn Polytechnic High School but failed all eight of his eight technical courses. When he was drafted he was assigned to the machine shop at Los Alamos. At Los Alamos he stole a bit of uranium "as a souvenir," and also stole Army tools and supplies which he sold on the black market. This much appears to be undisputed. At his trial he asserted that because of his admiration for his brother-in-law Julius Rosenberg he readily acceded to the latter's suggestion that he steal atomic secrets. He thereupon pumped the scientists at Los Alamos, and on the basis of their disclosures and his own observations was able to draft accurate sketches and to supply explanatory matter on a "high explosive lens" when Gold called on him in Albuquerque on June 3, 1945. Gold was making a tour: he had just collected material from Fuchs in Santa Fe. (Fuchs' own testimony was that his only contact with a Soviet agent in America was in Boston in February, 1945.) Gold then returned by rail to New York in two days; apparently he arrived many hours before the fastest train.

While on furlough in September, 1945, Greenglass prepared for Rosenberg a cross-section of the Nagasaki bomb and a twelve-page explanation. Ethel Rosenberg, according to Greenglass and his wife, typed the notes. At his trial in 1951 Greenglass brought into court what he swore was an accurate copy, reproduced from memory, of what he had transmitted in 1945. Several atomic scientists subsequently swore that it was impossible for a man of Greenglass' attainments to have prepared the first sketch in 1945, so say nothing of reproducing it in 1951. Mr. Wexley too is incredulous: he suggests that Greenglass was coached during the nine months he was held in the Tombs before the case was brought to trial.

Julius Rosenberg was an engineer who married Ethel, the sister of David Greenglass, in 1939. In 1945 he was dismissed without a hearing from a plant manufacturing equipment for the Signal Corps on the charge that he was a Communist. In 1946 he went into business with the two Greenglass brothers, Bernard and David, but the business was not successful and in 1949 the two Greenglasses withdrew. Rosenberg undertook to buy them out but was unable to make the payments he had promised. During the time that Rosenberg was struggling with these financial difficulties, and spending an average of $30 a year on his wife's clothes, he was also, according to Ruth Greenglass, David's wife, spending $50-$75 a night in night clubs; and he was able in 1950 to supply David Greenglass, who was bitter because Rosenberg owed him $1,000, with $5,000 to flee the country.

Morton Sobell was also an engineer, a college classmate of Julius Rosenberg. In 1950 he made a vacation trip with his family to Mexico City. He later said that he meant to explore opportunities there because of the growing atmosphere of repression in the United States, but all the evidence indicates that he intended to return to the United States before making a final move. While he was in Mexico City the Korean war broke out, and Sobell did a very peculiar thing. He made a trip under a series of assumed names to Tampico to inquire about transportation to South America or Europe. When he returned to Mexico City he was kidnapped and was delivered to the FBI officers waiting for him at Laredo, Texas. As it turned out, the only testimony against him was that of his best friend, Max Elitcher.

Elitcher was a college classmate of Rosenberg and Sobell; he had few friends but knew Sobell well and had a nodding acquaintance with Rosenberg. With Sobell, Elitcher went to work for the Navy Department, and he signed a perjured loyalty statement disclaiming membership in the Communist party. By 1947 he was very apprehensive and believed that FBI men were following him everywhere. He became the patient of a psychiatrist in 1948 and continued for two years; he gave up the psychiatrist in 1950 when he became a government witness.

At the Rosenberg trial Elitcher testified that in June, 1944, his casual acquaintance Rosenberg visited him and in less than half an hour enlisted his services as a Soviet spy. Elitcher never delivered any secrets, but continued to enjoy Rosenberg's confidence. He had two functions at the trial: to allege that Sobell had dealings with Rosenberg; and to lay the ground for the introduction of the "blonde spy queen," Elizabeth Bentley, who testified to the nature of the "Communist conspiracy" and asserted that her paramour Golos had received messages from an unidentified "Julius."

Here is the sequence of events. In 1947 Harry Gold and his employer, Abraham Brothman, were brought before a federal grand jury to inquire into Brothman's relations with the Soviet purchasing agency, Amtorg. The grand jury found "no bill." On February 3, 1950, Klaus Fuchs made his voluntary confession. On May 23 Harry Gold confessed. On June 15 David Greenglass was arrested. On July 17 Julius Rosenberg was arrested. On July 29 Brothman was arrested on the charge that he had conspired with Gold to frustrate the grand jury investigation. On August 11 Ethel Rosenberg was arrested. On August 18 Morton Sobell was kidnapped. In November Brothman was tried and convicted on the testimony of Harry Gold and Elizabeth Bentley. Gold was sentenced for espionage in December on his own confession. He was now an accredited spy. The Rosenbergs were brought to trial for conspiracy to commit espionage on March 6, 1951 and were convicted on the testimony of Gold, David and Ruth Greenglass, and Max Elitcher, and were sentenced to death. Morton Sobell was sentenced to thirty years in prison. The next two years were occupied by legal maneuvers and appeals for clemency from the Pope, thousands of ministers, Albert Einstein, Harold Urey, and others. Justice Douglas' last-minute stay of execution on June 17, 1953 was vacated by the Supreme Court on June 19, in time to permit the scheduled electrocution the same evening.

Both the Brothman case and the Rosenberg case were prepared for trial by Roy Cohn and Irving Saypol. Both cases were tried before Judge Kaufman. Both Greenglass and Elitcher were represented by O. John Rogge. Greenglass was sentenced to fifteen years; Elitcher was never brought to

trial. Mr. Wexley points to the generous spacing between the successive arrests and the indictments and the trial to suggest that pressure was being put upon the witnesses to elaborate their stories and that time was afforded to permit them to co-ordinate them. He disbelieves the testimony for the prosecution altogether. Certainly the word of a psychopathic liar like Harry Gold can carry no weight, and it is beyond belief that any responsible espionage organization would choose such a man for even the smallest task, to say nothing of the greatest spy operation in history. To believe Greenglass' testimony we must assume that an automobile mechanic who failed all his high school science courses could piece together the supposed disclosures by scientists and his alleged stolen glimpses into a workable atomic bomb, that he could draw an accurate plan of the bomb, and that he could repeat the feat from memory nearly six years later. This reviewer finds this as incredible as did Harold C. Urey. But what kind of pressure could have been put on the witnesses to make them testify? Probably Gold needed no pressure; his reward was public attention. Greenglass' wife thought him unstable, but it seems unlikely that he was so pronounced a case as Gold; and the threat of prosecution for stealing uranium and Army supplies could hardly induce him to plead guilty to the more serious crime of espionage. Likewise it appears that Elitcher must have been moved by something more substantial than a bad conscience. We cannot dismiss the possibility that Greenglass and Elitcher may have been guilty of very serious crimes.

In the Court of Appeals Judge Jerome Frank observed that if the testimony of the Greenglasses were disregarded, "the conviction could not stand. But where trial is by jury, this court is not allowed to consider the credibility of witnesses or the reliability of testimony." Mr. Wexley has taken the case to a larger jury which may review the reliability of testimony. The publisher quotes Elmer Davis as saying of the book: "Assuming that the record is here correctly cited (and I have no reason to suppose that it is not) I cannot believe the testimony of Elitcher and the Greenglasses, or much if any of that of Harry Gold." This means that the government had no case against the Rosenbergs. Obviously the Department of Justice cannot answer all criticisms. But unless it answers Mr. Wexley's we must conclude that the Rosenberg case is our Dreyfus case, outdoing the first in sordidness, cruelty, and terror.

FRANCIS D. WORMUTH.

University of Utah.

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The Committee to Secure Justice for Morton Sobell
940 Broadway, N. Y. C. AL 4-9983

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WARREN K. BILLINGS
San Francisco, California

June, 1956

Dear Friend:

I am a free man today for two reasons. First, I was innocent. Second, enough Americans cared about justice to work, search, investigate and pay for my freedom and that of Tom Mooney.

Morton Sobell will be free. He is innocent, and enough Americans care about decency to set him free.

A new motion is now in the courts. The motion charges that the prosecution knowingly used perjured testimony. It asks that Sobell be freed or given a new trial. It's a good motion and it can win.

You remember Julius and Ethel Rosenberg. There was a lot of feeling against their execution three years ago this time. Just a little more might have saved them. A little more can free Sobell.

Your contribution can go a long way toward helping win that freedom. In the coming months scores of thousands of dollars will be needed to pay for investigation, legal work, and public education.

As a man freed from the nightmare of prison, I ask you to give as generously as you can--for Morton Sobell, for yourself, for our country. Checks may be made payable to Mrs. Morton Sobell or to the Sobell Committee, 940 Broadway, New York City.

Very sincerely yours,

Warren K. Billings

Warren K. Billings

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Changing Public Opinion

1955 — 1956

THE EXAMINER

NEW BOOKS

Queer Facts About a Noted Trial

THE CATHOLIC WORKER

Our Troubled Conscience

the Judgment of Julius and Ethel Rosenberg

by John Wexley

atomic scientist

U.S. Senator William Langer Asks

DR. HAROLD C. UREY

justice

WAS JUSTICE DONE?

The Rosenberg-Sobell Case

by

MALCOLM P. SHARP

Professor of Law, University of Chicago

Author Waldo Frank asks justice for Morton Sobell

Waldo Frank

The Globe and Mail

LARGEST MORNING CIRCULATION IN CANADA

TORONTO, MONDAY, JANUARY 3, 1955

Another Dreyfus Case?

Book Shelf

Rosenberg Story Wrenches Mind

The Lord Russell Debate

ON THE CASE OF MORTON SOBELL

From the "Letters to the Editor" column of the Manchester Guardian, INFLUENTIAL BRITISH NEWSPAPER

Letters to the Editor

THE SOBELL CASE

AMERICAN SCIENTIST NO. 996

The Story of MORTON SOBELL

By A. A. HELLER

Prisoner On Our Conscience

THE STORY OF MORTON SOBELL

by Emily and David Alman

United States District Court

SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

MORTON SOBELL,

Defendant.

No. C 124-245

Petition Pursuant to Title 28, U. S. C. Section 2255

To the Honorable Judges of Said Court:

The petition of Morton Sobell respectfully represents:

First: The petitioner is unlawfully, unjustly and illegally detained and imprisoned by Paul J. Madigan, Warden of Alcatraz Penitentiary, a federal penal institution, acting as the agent and under the

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Before the courts...

DAILY NEWS,
WEDNESDAY, MAY 9, 1956

Sobell, Jailed As Spy, Files Freedom Plea

By NORMA ABRAMS

Charging that the prosection "knowingly, willfully and intentionally used false and perjurious testimony" against him, Morton Sobell, 38, convicted co-conspirator of executed atom spies Julius and Ethel Rosenberg, yesterday sought [illegible]dom from [illegible] for a

THE NEW YORK TIMES, WEDNESDAY, MAY 9,

SPY CASE RETRIAL SOUGHT BY SOBELL

Perjury and Kidnap Alleged —Petitioner Was Convicted in 1951 With Rosenbergs

Morton Sobell, serving thirty years for conspiracy to commit wartime espionage, petitioned in Federal Court yesterday for his freedom or a new trial.

The petition was based on alleged perjurious testimony and suppression of evidence by the prosecution. Sobell, now in Alcatraz Penitentiary, was convicted in 1951 with Ethel and Julius Rosenberg. The Rosenbergs were executed.

Sobell was arrested in Laredo, Tex., by the Federal Bureau of Investigation after he had been escorted to the border by the Mexican police. The Government contended that Sobell had fled to Mexico with his family to avoid prosecution; also, that he had been deported from that country.

The petition said that the prosecution had deliberately planned and participated in the abduction of Sobell from Mexico City, assertedly to give the impression that Sobell was a fugitive. The alleged kidnapping, the motion said, prevented Sobell from returning voluntarily to the United States.

Sobell further charged that the prosecution had made false reprsentations to the court by saying he had gone to Mexico without a visa. Attached to the petition were affidavits from the Mexican Department of Immigrantion saying Sobell had not been deported and had entered that country lawfully with a visa.

The petition contended that the prosecution had used unlawful search and seizure as a means of suppressing evidence that would have helped Sobell establish his innocence. Among documents assertedly seized were Sobell's tourist card (visa) and his vaccination certificate.

After Sobell's trial before Federal Judge Irving R. Kaufman, defense counsel raised the question of abduction in asking for an arrest of judgment.

At the time Judge Kaufman inquired why the defendant had not taken the stand to bring this out. Defense counsel said they had deemed it inadvisable for Sobell to testify. Judge Kaufman then reminded the defense that Sobell's wife, who had been a witness to the Mexico incident, had been available to tell of the alleged abduction.

The petition willbe referred to Judge Kaufman.

The New York Times
Morton Sobell

THE WASHINGTON POST and TIMES HERALD 9
Wednesday, May 9, 1956

Sobell Seeks New Trial; Says He's Perjury Victim

NEW YORK, May 8 [illegible]—Mor- [illegible] and he was knocked [illegible]

4—San Francisco News
—Tuesday, May 8, 1956

A-Spy in Alcatraz Asks Freedom or New Trial

NEW YORK May 8.—Convicted at- [illegible]

Before the people...

[redacted]

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NEW YORK POST, FRIDAY, MAY 11, 1956

Plea to Ike Asks New Trial for Sobell

A request for a new trial or freedom for Morton Sobell, convicted with Ethel and Julius Rosenberg, was sent today to President Eisenhower.

Signed by 61 noted Americans, the letter was forwarded by Sobell's wife, Helen. It asks the President to "exercise your executive authority" either by asking the Attorney General to consent to a new trial or by granting executive pardon or commutation of his sentence.

Sobell is now in the sixth year of his 30-year term for "conspiracy to commit espionage." The Rosenbergs were executed as spies for the Russians on the atom bomb project.

The signers said they were not pressing the subject of Sobell's "innocence or guilt—for we ourselves are not of one mind on that issue."

They pointed out, however, that in passing sentence the trial judge said the evidence did not indicate any activity on Sobell's part in the atomic bomb project.

Among the signers were:

Nobel prize-winning scientists Dr. Harold C. Urey and Dr. Linus Pauling; commentator Elmer Davis, author Lewis Mumford, Prof. Gardner Murphy of the Menninger Foundation, Dr. Paul L. Lehmann of the Princeton Theological Seminary, Dr. Roland Bainton of Yale Divinity School, Dorothy Day of the Catholic Worker, literary critic Maxwell Geismer and Prof. Erwin R. Goodenough of Yale University.

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IN THEIR MEMORY

FOR HIS FREEDOM

JUNE, 1953

"Always remember that we were innocent and could not wrong our conscience."

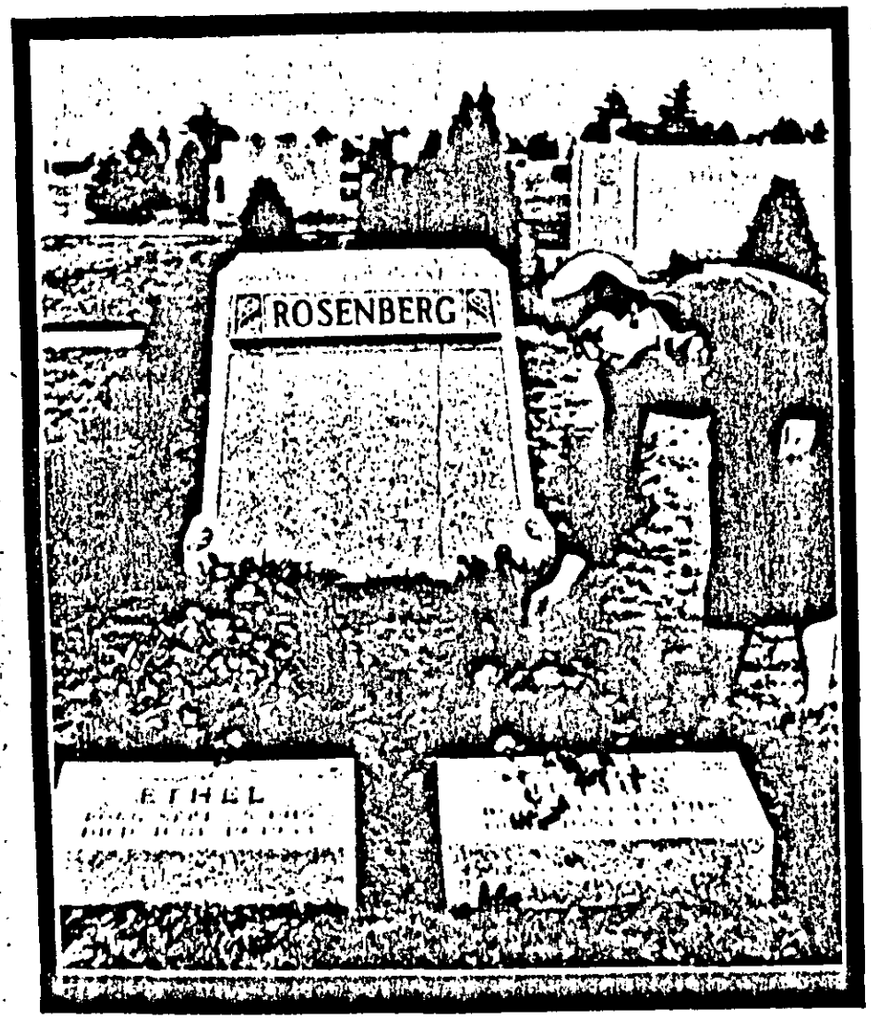
—Julius and Ethel Rosenberg

JUNE, 1954

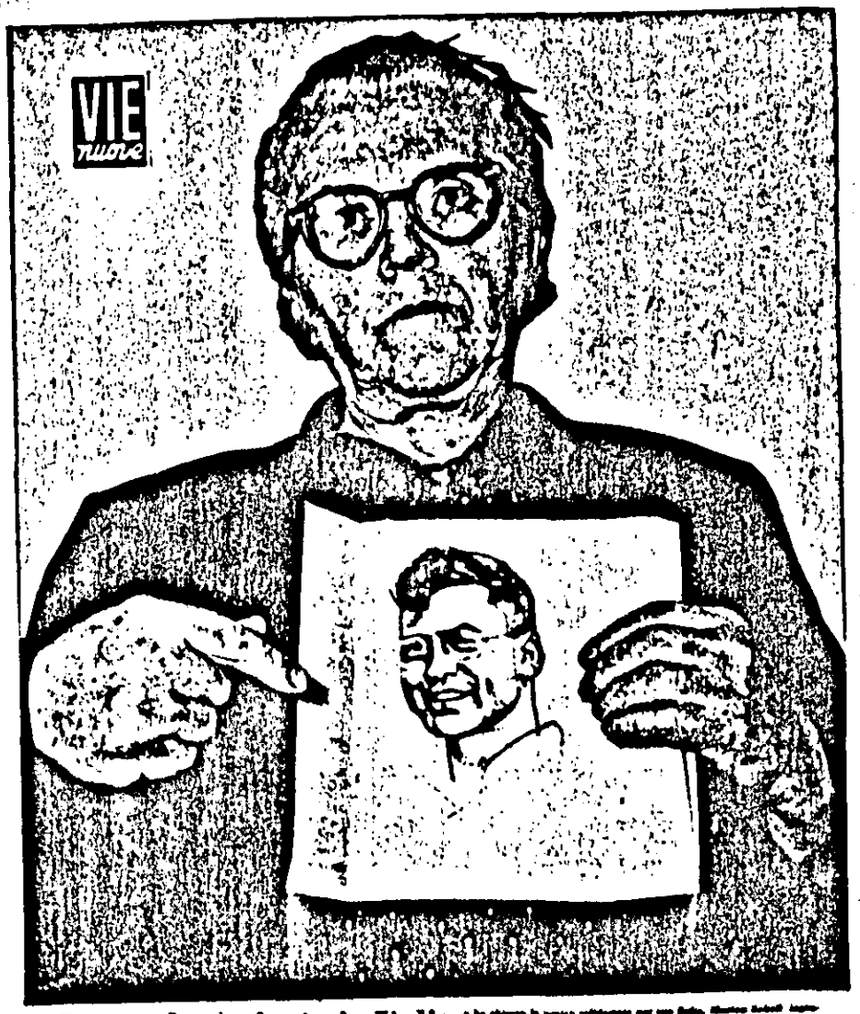
". . . the prosecuting authorities knowingly, willfully and intentionally used false and perjurious testimony and evidence, made false representations to the Court, and suppressed evidence."

—From Morton Sobell's new legal appeal for freedom, filed in U. S. Federal Court, New York City.

Presenting two photographs
expressing the deepening dedication to
freedom for Morton Sobell
and vindication of
Ethel and Julius Rosenberg.



Helen Sobell, wife of Morton Sobell, places roses on the graves of Julius and Ethel Rosenberg at Wellwood Cemetery, Pinelawn, Long Island.



Una madre è giunta in Italia

Mrs. Rose Sobell, Morton Sobell's mother, asks freedom for her son. This full-page picture, published in the magazine Vie Nuove, Rome, Italy, was taken during Mrs. Sobell's recent European trip seeking aid in establishing the truth.

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