

Memorandum

Describing Lawyer's Interview with **RUTH GREENGLASS**

MEMORANDUM

TO: FILE
FROM: RHG

June 19, 1950

Re: David Greenglass

IN: OJR and I visited Mrs. Greenglass at her home, 285 Riverton Street, Brooklyn, New York, at 4:00 P.M. Sunday, June 18, 1950. She was in bed as she had just returned from the hospital.

We first discussed the question of arranging a meeting of various relatives at our office to discuss financial problems. The relatives proposed are as follows:

1. Abe Feit
1039 Union Street
Brooklyn, New York
Tel. Sterling 3-6473

Business Address:
810 Washington Street
Tel. ST 3-6073
2. Mr. Feit is father-in-law of Louis Cohen,
80 Lefferts Avenue
Telephone: Jacob Cohen & Son
Buckminster 2-7103
3. Norman Brown (Friend of the family)
7981 Louis Street
Telephone OR 4-3609
4. Barney Zerkel (A cousin)
2124 East 26th Street
Telephone: DE 2-0312
5. Sam Greenglass
1384 Carroll Street
Telephone:
6. Rose Stein (Friend)
7. Stella Silverman (Friend)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-27-86 BY 3042 PWT-JAN

65-58236-1679

There was subsequently present during the conference: Issy Feit, Sam Greengrass, Bernard Greengrass, and Louis Abel.

Mrs. Greengrass discussed her visit to New Mexico. She was there between March 1945 and March 1946. They had been married in 1942. She feels that New Mexico is a very bad place to try the case since the citizens did not like GI's, because of the big boom and then the big slack, because of anti-semitism and because the local citizens all felt bitter about the wives of the GI's taking jobs there. She was employed in Albuquerque by the OPA and temporarily by the Soil Conservation Office.

As to her husband, she stated that he had a "tendency to hysteria". At other times he would become delirious and once when he had the grippe he ran nude through the hallway, shrieking of "elephants", "Lead Pants".

She had known him since she was ten years old. She said that he would say things were so even if they were not. He talked of suicide as if he were a character in the movies but she didn't think he would do it. They had been under surveillance by the FBI for several weeks. In particular, they had noticed a car of the Acme Construction Company, 1400 First Avenue in Manhattan. She ascertained there was no such Company. (There is an Acme Construction Company at 1402 Fulton Street in Brooklyn). She was interviewed at the hospital by two FBI men, Mr. Tilly and Mr. Wood. One was tall, ruddy and dark. The other she described as toothy and short. They assured her that they had nothing against her. She described her stay in Albuquerque and stated that she could not remember all of her addresses. Since it was difficult for GI's to get rooms for a long period, they had lived in five or six places. She had only been to Los Alamos to a party for a few hours one time. She had remembered no visitors at her house. She had notice of the project and signed an affidavit for it. She knew her mail was censored. She would not have allowed her husband to bring anything home after Hiroshima had disclosed what the project was. She intended to raise a family and did not want that kind of material around. In the future she will refer everyone to her lawyer.

She pointed out Dave did not ask for the job; that he was going overseas; that they have been watched constantly, and that as if they are the object of prosecution. Shortly before their accident the FBI asked if they had a specimen of uranium in the house, in the course of what they call a routine investigation. One of their friends had a similar experience.

People in the neighborhood want to raise a petition.

All newspapers are to be referred to her lawyer.

People keep flocking in the house to offer support and advice including that perhaps a right-wing lawyer should be selected. The Jewish Daily Forward, which is certainly not a leftist newspaper, is very excited about the anti-semitic issue and has offered a lawyer. Mrs. Greenglass urged OJR to try to get a court appointment for himself and he agreed to try. OJR pointed out that if Dave was innocent he should talk; that if not it would be advisable not to talk but to let the Government prove its case. The third course was that of cooperation. That was also discussed at length.

There was a long discussion about JR.

Questions to be looked up:

1. Was the arrest valid - was he held in detention before the complaint issued?
2. What is the effect of the complaint?
3. What do the cases hold on the intent to harm the Government?
4. Statements of Co-Conspirators.
5. Venue
6. Joinder

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IN THE COURT OF APPEALS
FOR THE SECOND CIRCUIT
NO. , Original

JULIUS ROSENBERG and ETHEL ROSENBERG,

petitioners,

-against-

HON. IRVING R. KAUFMAN, a Judge of the United
States District Court for the Southern Dis-
trict of New York,

Respondent.

B Y H B :

PLEASE TAKE NOTICE that on the 1st day of June,
1953, at 10:30 o'clock in the forenoon of that day, or as soon
thereafter as counsel can be heard, the undersigned will
present the accompanying petition for a writ of mandamus to
this Court, at the Courthouse thereof, Foley Square, Borough
of Manhattan, City and State of New York, and pray (1) for
leave to file the said petition; (2) that a writ of mandamus
issue to Hon. IRVING R. KAUFMAN, a Judge of the United States
District Court for the Southern District of New York, the
respondent above-named, directing the said Hon. IRVING R.
KAUFMAN to resentence the petitioners above-named, without
taking into consideration the factors set forth in the annexed
petition, or, in the alternative, directing the said Hon.
IRVING R. KAUFMAN to reconsider his decision, made January 2,
1953, denying the petitioners' application, theretofore made
pursuant to Rule 35 of the Federal Rules of Criminal Procedure,
for a reduction of the sentences or death imposed upon them by
judgments made and entered April 5, 1951, without taking into
consideration the factors set forth in the annexed petition.

(3) that an order be made, pending the determination of these proceedings, staying the United States of America, and any agency or agent thereof, from executing the petitioners herein, pursuant to judgments made and entered April 5, 1951, sentencing the petitioners to death, and from proceeding in any manner, or from taking any steps to, or tending to, the execution of the aforesaid judgments; and (4) for such other and further relief as to this Court may seem just and proper in the premises.

Dated: New York, N.Y.
May 20, 1951.

Yours, etc.,

EMANUEL W. BLOCH
Attorney for Petitioners
Office & P.O. Address
401 Broadway
Borough of Manhattan
New York City 13, N.Y.

TO: HON. IRVING R. KAUFMAN
United States District Judge for the
Southern District of New York
United States Courthouse
Foley Square
New York City, N.Y.

HON. EDWARD J. LUMBARD
United States Attorney for the
Southern District of New York
United States Courthouse
Foley Square
New York City, N.Y.

IN THE COURT OF APPEALS
FOR THE SECOND CIRCUIT
No. , Original

JULIUS ROSENBERG and ETHEL ROSENBERG,

Petitioners,

-against-

HON. IRVING R. KAUFMAN, a Judge of the United
States District Court for the Southern
District of New York,

Respondent.

PETITION FOR A WRIT OF HABEAS CORPUS

TO THE HONORABLE JUDGES OF THIS COURT:

The petition of JULIUS ROSENBERG and ETHEL ROSENBERG,
by EMMETT H. BLOCH, their attorney, for a writ of mandamus,
under Title 28 U.S.C. § 1651, against Hon. IRVING R. KAUFMAN,
a Judge of the United States District Court for the Southern
District of New York, represents:

FIRST, The petitioners are presently detained and
imprisoned at Sing Sing Prison, a New York State penal insti-
tution, by WILLIAM B. DUNN, the Warden thereof, acting as
agent for and under the direction of the Attorney General
of the United States, or his authorized representatives, to
whose custody they were committed to await the execution of
sentences of death imposed upon each of them under and by
virtue of separate judgments of conviction made and entered
in the Office of the Clerk of the United States District of
New York, and commitments issued, against each of the peti-
tioners, on April 5, 1951, by the said Hon. IRVING R. KAUFMAN.

the respondent herein (G.R. 27, 28).

SECOND: The petitioners were indicted on January 31, 1951 (a superseding indictment following two previous ones) for conspiracy in violation of 50 U.S.C. § 34, to violate Section 32 (a) of Title 50 U.S.C. (G.R. 2-4). They were convicted, after a trial before Court and jury on March 29, 1951 (G.R. 1579). On April 5, 1951, they were each sentenced to death by electrocution by the said Hon. IRVING R. FAUPEL, the trial judge and the respondent herein (G.R. 1612-29); and the judgments and commitments, aforesaid, were made and filed as aforesaid.

THIRD: This Court affirmed the judgments of conviction on February 25, 1952, and denied rehearing on April 8, 1952 (195 F. 2d 583, 609). The United States Supreme Court denied certiorari on October 13, 1952 (344 U.S. 818), and rehearing on November 17, 1952 (344 U.S. 889), Black, J., in each instance noting his opinion that certiorari should be granted. On November 24, 1952, the petitioners made application in the United States District Court for the Southern District of New York, under Title 28 U.S.C. § 2255, to vacate and set aside the aforesaid convictions and judgments. This application was denied on December 10, 1952 (109 F. Supp. 798). This Court affirmed on December 31, 1952 (200 F. 2d 666). The United States Supreme Court denied certiorari on May 25, 1953 (Docket No. 687, October Term, 1952), Justices Black and Douglas noting their opinions that certiorari should be granted.

IV For the convenience of the Court, the petitioners annex hereto a printed copy of the transcript of the criminal proceedings which was filed in the United States Supreme Court together with petitioners' petition for a writ of certiorari bearing Docket No. 111, October Term, 1952. References to this record will be noted as "G.R.".

FIFTH: On December 29, 1952, within sixty days after the denial of certiorari by the United States Supreme Court in the criminal appeal, an application was made to the said Hon. IRVING R. KAUFMAN, the sentencing judge and the respondent herein, for reduction of the aforesaid sentences, pursuant to Rule 35 of the Federal Rules of Criminal Procedure. On January 8, 1953, the application was denied (109 F. Supp. 105).

SIXTH: Section 34 of Title 50 U.S.C. provides that conspiracy therein made criminal "shall be punished as herein the case of the doing of the act the accomplishment of which is the object of such conspiracy, *as*". Section 32 (a) of Title 50 U.S.C. provides that its violation "shall be punished by imprisonment for not more than twenty years, *or* death, that whoever shall violate the provisions of subsection (a) of this section in time of war shall be punished by death or by imprisonment for not more than thirty years, *or* death".

SEVENTH: The sentences imposed upon the petitioners and the denial of the petitioners' application, aforesaid, for a reduction of their sentences by the Hon. IRVING R. KAUFMAN was a gross and unconscionable abuse of his discretion to sentence the petitioners, in that the respondent took into consideration factors (hereinafter more specifically set forth) which may not properly, validly, legally and without violating the Constitutional rights of the petitioners, be taken into consideration in arriving at the sentence imposed.

EIGHTH: The respondent took into consideration, in arriving at the decision that the sentences should be

NINTH: On January 6, 1953, an application was made to the President of the United States for an executive reduction of the sentences. This application was denied on February 11, 1953.

death rather than a lesser punishment permitted by the statute, the factor that the petitioners had not "confessed" guilt or "repented" of their alleged crime or "cooperated with the government".

The respondents, after pointing out that Greenglass and Gold, co-defendants of the petitioners and alleged co-conspirators, had pleaded "guilty" to the crime charged and "cooperated with the government", stated:

"Neither defendant [petitioners herein] has seen fit to follow the course of David Greenglass and Harry Gold. Their lips have remained sealed - see (109 B, Supp., 2002 at 114).

And again:

"Neither have I seen any evidence that the defendants have experienced any remorse or repentance." (Id. at 115)

HOLDING: The petitioners die, at all times, and had and have a continuing right to assert and maintain their innocence, if, in good faith they believe, as they do, that they are innocent. It was improper, invalid, illegal and in violation of the Constitutional rights of the petitioners to take into consideration, in making the decision that the petitioners be sentenced to death rather than a lesser punishment permitted by the statute, the factor that the petitioners refused to abandon the assertion of their innocence, made and maintained in good faith. The consideration of this factor, in arriving at the decision of death for the petitioners rather than a lesser punishment permitted by the statute, in effect, converts the death sentenced into instruments for the extraction of confessions.

HOLDING: The respondents took into consideration, in arriving at the decision that the sentences should be death rather than a lesser punishment permitted by the statute, the

likelihood that if imprisoned, petitioners might eventually secure release, and if released, they would continue, not in criminal activity, but in adherence to certain ideas and beliefs.

The respondent noted:

"A 30 year sentence would make the offender eligible for parole after service of one-third of his sentence, i.e., in 10 years. Title 18, United States Code, § 4202." (Id. at 110, fn. 3)

The respondent thereafter stated:

"This Court has no doubt but that if the Rosenbergs were ever to attain their freedom, they would continue in their deep-seated devotion and allegiance to Soviet Russia which has caused them to choose martyrdom and to keep their lips sealed." (Id. at 114) (Emphasis added.)

TENTH: "Devotion" and "allegiance" as aforesaid-- at all times denied by the petitioners--may not be made the object of punishment. It was improper, invalid, illegal and in violation of the Constitutional rights of the petitioners to take into consideration, in making the decision that the petitioners be sentenced to death rather than a lesser punishment permitted by the statute, the factor that the petitioners allegedly "would continue in their deep-seated devotion and allegiance to Soviet Russia."

ELEVENTH: The respondent took into consideration, as a primary factor, in arriving at the decision that the sentences should be death rather than a lesser punishment permitted by the statute, his belief that the petitioners were "traitors" and that their alleged crime was "treason".

The respondent stated:

"We are dealing with the type of offense which is a crime of the mind and the heart, and their traitorous acts were of the highest degree." (Id. at 110)

And again:

"Throughout history the crimes of traitors stand as those most abhorred by people. At the time of the

imposition of the sentences in this case, I pointed out that the crime for which these defendants stood convicted was worse than murder. The distinction is based on reason. The murderer kills only his victim while the traitor violates all the members of his society, all the members of the group to which he owes his allegiance." (Id.)

And again:

Natural citizens of America, being numbered as one of us, they chose the path of traitors." (Id. at 114).

In his original remarks on sentence, the respondent considered the petitioners as "traitors in our midst", and accused them of "betrayal". (C.R. 1613, 1614, 1615).

TWELFTH: This Court has ruled that the petitioners were not charged with, tried for, or convicted of "treason". (C.R. 1709-13); *United States v. Rosenberg*, 195 F. 2d 609 (C.C.A. 2d, 1952). It was improper, invalid, illegal and in violation of the constitutional rights of the petitioners to take into consideration, in making the decision that the petitioners be sentenced to death rather than a lesser punishment permitted by statute, the factor that the petitioners were "traitors" or that their alleged crime was "treason".

THIRTEENTH: The respondent took into consideration, in arriving at the decision that the sentences should be death rather than a lesser punishment permitted by the statute, his belief that the petitioners acted with "intent to injure" the United States. (C.R. 1612-20); Id. at 112.

FOURTEENTH: The petitioners were neither charged with nor convicted of having acted with "intent to injure" the United States, but only with "intent to advantage" the Soviet Union, nor does the record reveal any proof on the part of the petitioners of "intent to injure" the United States. The circumstances show the record upon which the respondent seemingly relied to conclude that the petitioners acted with

intent to injure are materially untrue. It was, therefore, improper, invalid, illegal and in violation of the constitutional rights of the petitioners to take into consideration, in making the decision that the petitioners be sentenced to death rather than to a lesser punishment permitted by the statute, the factor that petitioners acted with "intent to injure" the United States.

SIXTH: The petitioners herein have no other adequate remedy either at law or in equity, nor has any previous application been made to any Court or judge thereof for the relief herein requested.

SEVENTH: On or about February 17, 1953, this Court entered an order staying the execution of the petitioners herein, pending the due filing of the petition in the United States Supreme Court for a writ of certiorari in Docket No. 40, 407, October term, 1953, and until further order of the Supreme Court.

EIGHTH: The United States Supreme Court, on May 27, 1953, entered an order, simultaneously with its order as that day denying certiorari, directing this Court to terminate the stay of execution of the petitioners theretofore granted by this Court, as aforesaid.

NINTH: Unless the stay of execution of the petitioners, requested herein, is granted, the issue raised by this petition may be rendered moot by their deaths, and the petitioners will suffer irreparable and irreversible harm.

TENTH: The petitioners ask the judgment of this Court that an order be made and entered;

(1) directing the respondent to rescind, or, in the alternative, directing the respondent to reconsider

his decision denying the petitioners' application, heretofore made pursuant to Rule 35 of the Federal Rules of Criminal Procedure, for a reduction of the sentences of death imposed upon them by judgments made and entered April 5, 1951, without taking into consideration the factors set forth in paragraphs "SEVENTH", "NINTH", "ELEVENTH" and "THIRTEENTH" of the petition)

(2) pending the determination of these proceedings, staying the United States of America, and any agent or agent thereof, from executing the petitioners herein, pursuant to judgments made and entered April 5, 1951, sentencing petitioners to death, and from proceeding in any manner, or from taking any steps to, or tending to, the execution of the aforesaid judgments; and

(3) For such other and further relief as to this Court may seem just and proper in the premises.

Dated: New York, N.Y.
May 26, 1953.

Emanuel H. Bloch
EMANUEL H. BLOCH
Attorney for Petitioners

I have read the foregoing petition by me subscribed and the facts therein stated are true to the best of my information and belief.

Sworn to before me this
26th day of May, 1953.

Emanuel H. Bloch
EMANUEL H. BLOCH

GLORIA AGNIN
Notary Public, State of New York
My Comm. Expires March 30, 1954
E. H. Bloch, Jr.
Ct. Clk. with K. H. Bloch, Jr.
Term expires March 30, 1954

Please take notice that the within is a true copy

is day duly entered herein in the office of the Clerk

Dated, N. Y., 19

Yours, &c.,

Attorney for
Office and Post Office Address

Borough of New York City

Esq.

Attorney for

is:—
Please take notice that the within

will be presented for settlement and signature
herein to the Hon.

one of the judges of the within named Court, at

the Borough of
City of New York, on the day of

Dated, N. Y., 19

Yours, &c.,

Attorney for
Office and Post Office Address

Borough of New York City

Esq.

Attorney for

Index No. Vol. 10
IN THE UNITED STATES DISTRICT
COURT : FOR THE SOUTHERN
DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

—against—

JULIUS ROSENBERG and ETHEL
ROSENBERG,

Defendants.

NOTICE OF MOTION
AND PETITION

EMANUEL H. BLOCH

Attorney for Petitioners

Office and Post Office Address

401 Broadway
Borough of Manhattan New York City

To Esq.

Attorney for

Due and timely service of a copy of the within
is hereby admitted.

Dated, N. Y., 19

Attorney for

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

JULIUS ROSENBERG and ETHEL ROSENBERG,

Defendants.

NOTICE OF MOTION

No. C 134-245

S. I. R. vs.

PLEASE TAKE NOTICE that upon the annexed petition of JULIUS ROSENBERG and ETHEL ROSENBERG, by EMANUEL H. BLOCH, their attorney, duly verified the 26th day of May, 1953, and upon all the pleadings and proceedings heretofore had herein a motion will be made in the District Court for the Southern District of New York, at the Courthouse thereof, Foley Square, in the Borough of Manhattan, City and State of New York, at a criminal part thereof, on the 1st day of June, 1953, at 10:00 o'clock in the forenoon, or as soon thereafter as counsel can be heard for an order: (1) under Rule 35 of the Federal Rules of Criminal Procedure and Section 2255 of Title 28, U.S.C., vacating or correcting the sentences of death imposed upon the petitioners herein by a judgment of this Court made and entered April 5, 1951, on the ground that the said sentences are illegal, to wit:

The sentences were in excess of the maximum allowed by law in that 50 U.S.C. § 32 (a) and 34 provides a maximum punishment of 20 years imprisonment for the offense for which the petitioners were convicted, whereas the petitioners were sentenced to death;

(2) pending the determination of these proceedings, staying the United States of America, and any agency or agent thereof from executing the petitioners herein, pursuant to the judgments herein, dated April 5, 1951, and from proceeding, in any manner, or from taking any steps to, or tending to, the execution of the aforesaid judgments; and (3) for such other and further relief as to this Court may seem just and proper in the premises.

Dated: New York, N.Y.
May 26, 1953.

Yours, etc.,

EMANUEL H. BLOCH
Attorney for Petitioners
Office & P.O. Address
401 Broadway
Borough of Manhattan
New York City 13, N.Y.

TO: HON. EDWARD J. LUMBARD
United States Attorney for the
Southern District of New York
United States Courthouse
Foley Square
New York City, N.Y.

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

JULIUS ROSENBERG and ETHEL ROSENBERG,

Defendants.

PETITION

No. 0 134-245

TO THE HONORABLE JUDGES OF THIS COURT:

The petition of JULIUS ROSENBERG and ETHEL ROSENBERG,
by EMANUEL W. BLOCH, their attorney, respectfully represents:

FIRST: The petitioners are presently detained
and imprisoned at Sing Sing Prison, a New York State penal
institution, by WILFRED L. DENNO, the Warden thereof, acting
as the agent for and under the direction of the Attorney
General of the United States, or his authorized representa-
tives, in whose custody they were commended to await the
execution of sentences of death imposed under and by virtue
of separate judgments of conviction made and commitments
issued against each of the petitioners, on April 5, 1951,
by Honorable IRVING E. KAUFMAN, one of the judges of the
District Court for the Southern District of New York. (A
copy of each of the said judgments is annexed hereto and made
a part hereof, and marked "EXHIBIT A".)

SECOND: An indictment against the petitioners
(a superseding indictment following two previous ones) was
returned in this Court on January 31, 1952, charging them,
in a single count, with conspiracy, in violation of 50 U.S.C.
§ 14, to violate Section 12 (a) of Title 50 U.S.C. (A copy

of the said indictment is annexed hereto and made a part hereof and marked "EXHIBIT B".) They were brought to trial before a Court and Jury in this Court on March 6, 1951. On March 29, 1951, the jury returned separate verdicts against each of the petitioners of "guilty as charged". On April 5, 1951, they were each sentenced to death by electrocution by Honorable IRVING R. KAUFMAN, the trial judge, and, as aforementioned, the judgments and commitments were made and filed in the office of the Clerk of this Court on April 5, 1951.

THIRD: The said detention and imprisonment of the petitioners is unjust, unlawful and illegal in that the sentences of death imposed upon them, as aforesaid, were illegal, viz:

The sentences were in excess of the maximum allowed by law in that 50 U.S.C. § 32 (a) and 34 provide a maximum punishment of 20 years imprisonment for the offense for which the defendants were convicted, whereas the defendants were sentenced to death.

FOURTH: Section 34 of Title 50 U.S.C., for whose violation the petitioners were indicted, provides, so far as is here relevant:

"If two or more persons conspire to violate the provisions of sections 32 or 33 of this title, and one or more of such persons does any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be punished as in said sections provided in the case of the doing of the act the accomplishment of which is the object of such conspiracy."***

FIFTH: Section 32 (a) of Title 50 U.S.C., the section of Title 50 which the petitioners were charged to have conspired to violate, provides:

"Whoever, with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign nation, communicates, delivers or transmits, or attempts to, or aids or induces another to, communicate, deliver or transmit, to any foreign government, or to any faction or party or military or naval force within a foreign country, whether recognized or unrecognized by the United States or to any representative, officer, agent, employee, subject, or citizen thereof, either directly or indirectly, any document, writing, code-book, signal book, sketch, photograph, photographic negative, blueprint, plan, map, model, note, instrument, plan, map, model, note, instrument, appliance or information relating to the national defense, shall be punished by imprisonment for not more than twenty years. Provided, that whoever shall violate the provisions of subsection (a) of this section in time of war shall be punished by death or by imprisonment for not more than thirty years."

SIXTH: The conspiracy for which the punishment of death is authorized by the aforesaid statute is a conspiracy to "communicate, deliver or transmit, or attempt to, or aid or induce another to, communicate, deliver or transmit, to any foreign government *** information relating to the national defense *** in "time of war".

SEVENTH: The statute aforesaid, does not authorize the punishment of death for conspiracy, no matter when conceived, created, entered into, or existing even "in time of war"--if its object is not to "communicate, deliver or transmit, or attempt to, or aid or induce another to, communicate, deliver or transmit, to any foreign government *** information relating to the national defense *** in "time of war".

EIGHTH: The indictment aforesaid against the petitioners charged:

"1. On or about June 6, 1944, up to and including June 16, 1950, at the Southern District of New York, and elsewhere, Julius Rosenberg, Ethel Rosenberg, Anatoli I. Yakovlev, also known as "John", David Greenglass and Morton Sobell, the defendants herein, did, the United States of America then and there being at war, conspire, combine, confederate and agree with each other and with Harry Gold and

Ruth Greenglass, named as co-conspirators but not as defendants, and with divers others presently to the Grand Jury unknown, to violate sub-section (a) of Section 32, Title 50, United States Code, in that they did conspire, combine, confederate and agree, with intent and reason to believe that it would be used to the advantage of a foreign nation, to wit, the Union of Soviet Socialist Republics, to communicate, deliver and transmit to a foreign government, to wit, the Union of Soviet Socialist Republics, and representatives and agents thereof, directly and indirectly, documents, writings, sketches, notes, and information relating to the National Defense of the United States of America." (Twelve overt acts, whose statement is here omitted, were averred.)

NINTH: The indictment aforesaid does not charge that the object of the conspiracy was to "communicate, deliver and transmit *** information relating to the National Defense in time of war, but only that a conspiracy was conceived, created, entered into, or existed in time of war to "communicate, deliver and transmit, etc." such information at a time not designated in the indictment.

TENTH: The jury, as aforesaid, returned a verdict against each of the petitioners of "guilty as charged."

ELEVENTH: The maximum punishment authorized by the aforesaid statute for the offense for which the petitioners were charged and convicted is imprisonment for twenty years, and the sentences of death imposed upon each of the petitioners were in excess of the maximum authorized by the statute.

TWELFTH: The judgments aforesaid made and entered upon the verdicts, aforesaid, recited, as to each of the petitioners, inter alia:

"It is Adjudged that the defendant has been convicted upon his plea of not guilty and a verdict of guilty of the offense of conspiracy, with intent and reason to believe that it would be used to the advantage of a foreign nation, to wit, the Union of Soviet Socialist Republics, to communicate, deliver and transmit to a foreign government, to wit, the Union of Soviet Socialist Republics, and representatives and agents thereof, directly and indirectly, documents,

writings, sketches, notes and information relating to the National Defense of the United States, while the United States of America was then and there at war. (Emphasis added.)

THIRTEENTH: The judgments aforesaid were not responsive to or in conformity with the verdict and the indictment, and are, therefore, null and void, and can confer no power upon the sentencing judge to impose the sentences of death.

FOURTEENTH: The sentence of death imposed upon each of the petitioners is illegal.

FIFTEENTH: The United States Court of Appeals for the Second Circuit affirmed the judgments of conviction, on grounds other than those raised here, on February 25, 1952, and denied rehearing on April 8, 1952 (195 F. 2d 583, 609). The United States Supreme Court denied certiorari on October 13, 1952 (344 U.S. 838) and rehearing on November 17, 1952 (344 U.S. 839), Black, J., in each instance, noting his opinion that the petition should be granted. On November 24, 1952, the petitioners made application in this Court, under 28 U.S.C. § 2255, to vacate and set aside the aforesaid judgments of convictions. This application was denied without a hearing on December 10, 1952 (108 F. Supp. 798). The Court of Appeals for the Second Circuit affirmed the order of the District Court on December 31, 1952. (200 F. 2d 666) The United States Supreme Court denied a petition for a writ of certiorari on May 25, 1953 (Docket No. 687, October Term, 1952), Justices Black and Douglas noting their opinion that certiorari should be granted. On December 29, 1952, within 60 days after the denial of certiorari by the United States Supreme Court, in the original appeal, an application was made to the sentencing judge for a reduction of the aforesaid

sentences, pursuant to Rule 35 of the Federal Rules of Criminal Procedure. On January 2, 1952, the application was denied (109 F. Supp. 108). On January 6, 1953 an application was made to the President of the United States, for an executive reduction of the sentence. This application was denied on February 11, 1953. No previous application has been made for the relief herein requested.

SIXTEENTH: On or about February 17, 1953, the Court of Appeals for the Second Circuit entered an order staying the execution of the petitioners herein, pending the due filing of the petition in the United States Supreme Court for a writ of certiorari in Docket No. 687, October Term, 1952, and until further order of the Supreme Court.

SEVENTEENTH: The United States Supreme Court, on May 25, 1953, entered an order, simultaneously with its order of that day denying certiorari, ordering the Court of Appeals to terminate the stay of execution of the petitioners theretofore granted by it, as aforesaid.

EIGHTEENTH: Unless the stay of execution of the petitioners, requested herein, is granted, the issues raised by this petition may be rendered moot by their deaths, and the petitioners will suffer irreparable and irrevocable harm.

WHEREFORE, the petitioners ask the judgment of this Court that an order be made and entered:

(1) vacating or correcting the sentences of death imposed upon the petitioners herein by judgments made and entered April 5, 1952;

(2) pending the determination of these proceedings, staying the United States of America, and any agency or agent thereof from executing the

petitioners herein, pursuant to the judgments herein dated April 5, 1951, and from proceeding in any manner, or from taking any steps to, or tending to, the execution of the aforesaid judgments; and

(3) for such other and further relief as to this Court may seem just and proper in the premises.

EMANUEL H. BLOCH

EMANUEL H. BLOCH

Attorney for Petitioners

STATE OF NEW YORK }

COUNTY OF NEW YORK }

SS. s

EMANUEL H. BLOCH, being duly sworn, deposes and says that he is the attorney for the petitioners above-named, and that he has read the foregoing petition, by him subscribed, and knows the contents thereof, and that the same are true of his own knowledge, except as to those matters therein alleged on information and belief, and as to those matters, he believes it to be true.

Sworn to before me this
26th day of May, 1953.

EMANUEL H. BLOCH
EMANUEL H. BLOCH

NOTARY PUBLIC, State of New York
No. 21, 000, 000
Commission Expires March 30, 1954
Cust. filed with N.Y. Sec. of State
Cust. filed with N.Y. Sec. of State
Term expires March 30, 1954

EXPERIMENTAL AND PRODUCTION

TOOLS

DIES

PILOT RUNS

PIT MACHINE PRODUCTS, INC.

870 EAST HOUSTON STREET NEW YORK 2, N. Y.

Phone GRamercy 3-8330

August 18, 1949

To Whom It May Concern:

David Greenglass comes to you with our highest recommendation. He has worked for us for the past four years in the capacity of shop foreman and engineer.

This man has worked very efficiently doing experimental engineering, working out design details and put them into production. He has a thorough knowledge of machine tools and machine tool processes and has supervised our engineering and shop departments these past four years.

Yours truly,

PIT MACHINE PRODUCTS, INC.

Julius Rosenberg
JULIUS ROSENBERG
President

EXHIBIT A

UNITED STATES DISTRICT COURT,
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

V.

JULIUS ROSENBERG

JULIUS ROSENBERG JUDGMENT AND COMMITMENT--April 5, 1951

On this 5th day of April, 1951 came the attorney for the government and the defendant appeared in person and by counsel.

It is Adjudged that the defendant has been convicted upon his plea of not guilty and a verdict of guilty of the offense of conspiracy, with intent and reason to believe that it would be used to the advantage of a foreign nation, to wit, the Union of Soviet Socialist Republics, to communicate, deliver and transmit to a foreign government, to wit, the Union of Soviet Socialist Republics, and representatives and agents thereof, directly and indirectly, documents, writings, sketches, notes and information relating to the National Defense of the United States, while the United States of America was then and there at war, Title 50 Section 34, United States Code as charged. And the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the court.

It is Adjudged that the defendant is guilty as charged and convicted.

It is Ordered and Adjudged that the said defendant, Julius Rosenberg, for the crime by him committed and upon

the verdict of the jury in this court, during the week commencing May 21, 1951, be by the United States Marshal for the Southern District of New York executed until dead and the said punishment of death shall be inflicted in the manner and form as provided by the statutes of the United States of America, and in conformity and in compliance with the manner described by the laws of the State of New York.

It is Ordered and Adjudged that the defendant, Julius Rosenberg, be and he hereby is committed to the custody of the Attorney General or his authorized representative for appropriate detention pending execution of the sentence by the United States Marshal in accordance with the provisions of section 3566, Title 18, United States Code.

It is Ordered that the Clerk deliver a certified copy of this judgment and commitment to the United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

Irving M. Kaufman, United States District Judge

U.S. District Court, S. D. of N.Y.

Filed April 5, 1951

Approved: Irving H. Saypol, U.S. Attorney. 4/5/51.

(Identical judgment for Ethel Rosenberg)

EXHIBIT 1

IN UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

JULIUS ROSENBERG and ETHEL ROSENBERG,

Defendants.

SUPPLEMENTARY INDICTMENT--filed January 31, 1951

The Grand Jury charges:

1. On or about June 6, 1944, up to and including June 16, 1950, at the Southern District of New York, and elsewhere, Julius Rosenberg, Ethel Rosenberg, Anatoli A. Yakovlev, also known as "John", David Greenglass and Morton Sobell, the defendants herein, did, the United States of America then and there being at war, conspire, combine, confederate and agree with each other and with Harry Gold and Ruth Greenglass, named as co-conspirators but not as defendants, and with diverse others presently to the Grand Jury unknown, to violate sub-section (a) of Section 32, Title 50, United States Code, in that they did conspire, combine, confederate and agree, with intent and reason to believe that it would be used to the advantage of a foreign nation, to wit, the Union of Soviet Socialist Republics, to communicate, deliver and transmit to a foreign government, to wit, the Union of Soviet Socialist Republics, and representatives and agents thereof, directly and indirectly, documents, writings, sketches, notes and information relating to the national defense of the United States of America,

OVERT ACTS

1. In pursuance of said conspiracy and to effect

the objects thereof, in the District of Columbia, on or about June 6, 1944, the defendant Julius Rosenberg visited a building at 247 Delaware Avenue, Washington, D.C.

2. And further in pursuance of said conspiracy and to effect the objects thereof, in the Southern District of New York, on or about November 15, 1944, the defendants Julius Rosenberg and Ethel Rosenberg conferred with Ruth Greenglass.

3. And further in pursuance of said conspiracy and to effect the objects thereof, in the Southern District of New York, on or about November 20, 1944, the defendant Julius Rosenberg gave Ruth Greenglass a sum of money.

4. And further in pursuance of said conspiracy and to effect the objects thereof, in the Southern District of New York, on or about November 20, 1944, Ruth Greenglass boarded a train for New Mexico.

5. And further in pursuance of said conspiracy and to effect the objects thereof, in the Southern District of New York, on or about December 10, 1944, the defendant Julius Rosenberg went to 266 Stanton Street, New York City.

6. And further in pursuance of said conspiracy and to effect the objects thereof, in the Southern District of New York, on or about December 10, 1944, the defendant Julius Rosenberg received from Ruth Greenglass a paper containing written information.

7. And further in pursuance of said conspiracy and to effect the objects thereof, in the Southern District of New York, on or about January 7, 1945, the defendants Julius Rosenberg and Ethel Rosenberg conferred with the defendant David Greenglass and Ruth Greenglass.

8. And further in pursuance of said conspiracy and to effect the objects thereof, in the Southern District

of New York, on or about January 7, 1945, the defendant Julius Rosenberg gave Ruth Greenglass a portion of the side of a torn cardboard "Jello" box.

9. And further in pursuance of said conspiracy and to effect the objects thereof, in the Southern District of New York, on or about January 10, 1945, the defendant Julius Rosenberg introduced the defendant David Greenglass to a man on First Avenue, New York City.

10. And further in pursuance of said conspiracy and to effect the objects thereof, in the Southern District of New York, on or about January 12, 1945, the defendant Julius Rosenberg conferred with the defendant David Greenglass.

11. And further in pursuance of said conspiracy and to effect the objects thereof, in the Southern District of New York, on or about January 12, 1945, the defendant Julius Rosenberg received from the defendant David Greenglass a paper containing sketches of experiments conducted at the Los Alamos Project.

12. And further in pursuance of said conspiracy and to effect the objects thereof, in the Southern District of New York, on or about January 14, 1945, the defendant David Greenglass boarded a train for New Mexico.

(Section 34, Title 50, United States Code.)

10:50

June 3, 1953

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. NICHOLS
MR. BELMONT

Julius ROSENBERG

g-1
The Attorney General called me today and inquired whether I had heard of Director of Prisons Bennett's visit to Sing Sing and I told him that I had as it had been headlined in the New York papers this morning. I stated Judge Irving Kaufman spoke to us about it as he was very much concerned. I stated his father-in-law had a very serious threat by telephone last night to the effect they were going to kill the Judge's two boys and his wife before the execution of the Rosenbergs. Judge Kaufman tried to get the New York Police to furnish protection but could not get hold of Commissioner Monaghan or Inspector Rothengast and in desperation he had called us and I stated I now have Agents assigned to be with the family for twenty-four hours a day until the execution is consummated. In conversation with our Agents in the New York Office this morning, the Judge did mention Mr. Bennett's visit to Sing Sing and stated he thought the publicity was most unfortunate. I stated Mr. Rogers called me earlier this morning about U. S. Attorney Lumbard's desire to bring Greenglass to New York and I had told Mr. Rogers that my reaction was absolutely adverse to it as I thought the more we could play this down the better off we were going to be.

JAMES J. BENNETT N.Y.

I stated I had ascertained that Greenglass was at Lewisburg Penitentiary and it would be very simple for us to send an Agent down, or Mr. Lumbard or an assistant could go down and get the information from Greenglass inside of a couple of hours.

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DATE 7-24-86 BY 3042

The Attorney General stated that all things considered, he thought it was all right to have the publicity on Mr. Bennett's trip to Sing Sing, although the Attorney General did not know about it, as there is quite a widespread feeling that the Rosenbergs never have been given a chance and it might be good over-all.

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I stated Block went to Sing Sing this morning and called a press conference and has promised to make a very startling announcement. I stated Block had previously given the press a telegram to Block from the Rosenbergs concerning Mr. Bennett's visit, telling that they had been coerced by Mr. Bennett, etc. I stated we checked with the Warden at Sing Sing, who

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was present during the interview and there was nothing improper said and no promises of any kind made, but of course, the Rosenbergs were playing it up for propaganda purposes.

The Attorney General said he had a talk with the President about it this morning and told the President that our judgement in the Department and the basic thing to keep in mind at all times was that any change in the Government's position at any time would be considered a victory of world Communism over the great United States. I stated I thought this was absolutely true; that I thought it would be seized upon right away and I thought it would lead to many more headaches because if pressure groups can accomplish anything in this particular group they will try it in every case and in every matter that would come to the White House for consideration.

The Attorney General expressed some concern that a threat might be made against his family and wondered if there was any danger. I stated that after Block makes his motion today on newly discovered evidence, which I imagined would eventually be denied, he would then, of course, file for commutation of the sentence. I stated I thought at that time we ought to take some steps to see that the Attorney General's family is thoroughly protected and when the time approached I would take care of this. The Attorney General thanked me.

Very truly yours,

J E H

John Edgar Hoover
Director

JEH:mpd

SENT FROM D. C.
TIME 5:52 PM
DATE 6-2-53
BY [signature]

10:59

June 3, 1953

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. BELMONT
MR. NICHOLS

Ethel Rosenberg

I called SAC Boardman at New York to brief him on a recent development in the Rosenberg Case. I stated that the Attorney General was presently at the White House and in his absence the United States Attorney, Mr. Lumbard, had talked to Deputy Attorney General Rogers and stated that incident to the filing of a motion by Block in the Rosenberg Case he was thinking about having Greenglass brought on to New York so that he, Greenglass, could be available to assist Lumbard in preparing any answers he has to make. I asked Mr. Boardman if he knew where Greenglass was incarcerated and he advised he was presently at Lewisburg.

I then proceeded to brief Mr. Boardman concerning this matter in the event United States Attorney Lumbard should call him. I stated that Mr. Rogers has asked my opinion concerning the bringing of Greenglass to New York as he was not too much in favor of it and I had told him I thought this would be most unwise for the reason that it would be bound to be known to the press in a very short period of time; that Block might demand the right to talk to Greenglass, which could not very well be denied, or Block might file some motion to bring Greenglass to court with all the resultant publicity. I told Mr. Boardman that Mr. Rogers shared my views and I had told Mr. Rogers that I felt the matter should be handled in one of three ways: (1) if Mr. Lumbard wants to get any information from Mr. Greenglass that he needs to put in his answer of the motion he should contact Mr. Boardman and we would have an Agent get it as we have Agents in whatever area Greenglass may be, or (2) if necessary we would send the Agent who was thoroughly familiar with it from our New York Office, or (3) if Mr. Lumbard did not want to do that there was no reason why he, Mr. Lumbard, could not get on a plane and fly to wherever Greenglass is, or have an assistant fly there. I commented that bringing Greenglass to New York would be making a Roman Holiday out of the affair. I stated along this same line was the matter of the Director of the Bureau of Prisons, Mr. James

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V. Bennett, going to Sing Sing Prison to see the Rosenbergs the other day with the resultant publicity and charges of coercion. I stated I had objected to this at the Staff Luncheon the other day but it had already been worked out to be done and the Attorney General wanted to know whether he ought to rescind the orders and I told him since he had already ordered it, to rescind it might draw

JUN 10 1953

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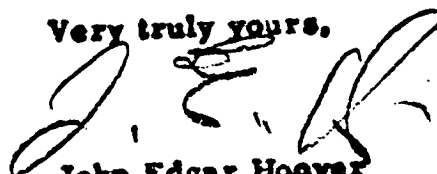
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HEREIN IS UNCLASSIFIED
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more attention to it. I told Mr. Boardman that I felt any contact with the Rosenbergs should be handled through the Warden at the Sing Sing Prison who sees them at regular intervals. I commented this could have been handled by telling the Rosenbergs that if and when they had anything to say to any government official they should contact the Warden who would contact the proper official. I stated as a result of it being handled through Bennett there had been a lot of publicity. I indicated that such a situation was to be avoided in the Greenglass matter.

I stated that Rogers told me he agreed with my views concerning the Greenglass matter and he was going to call Lumbard and advise him that he, Rogers, was not going to make a decision in the matter and would ask Lumbard to hold up making a decision until the Attorney General got back from the White House. I told Mr. Boardman that if it works out along the line I have suggested Mr. Lumbard may call him for the purpose of having us get some information from Greenglass. I told Mr. Boardman if Mr. Lumbard calls he is to be given immediate attention, and if Greenglass is in Lewisburg and he, Boardman, thinks it worthwhile to have an Agent from the New York Office go to Lewisburg rather than have it handled out of the Philadelphia Office it would be alright to do that. I stated, however, that he was not to let Mr. Lumbard know that I had talked to him, Boardman, as that would let Mr. Lumbard know that Mr. Rogers had checked here. I indicated he was just to let Mr. Lumbard know that he was fully prepared if he should call.

Very truly yours,


John Edgar Hoover
Director

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BY	JUH

10:50

June 3, 1953

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. NICHOLS
MR. BELMONT

Deputy Attorney General William Rogers called me today and said he had just talked to U. S. Attorney Lombard in New York and Lombard told him that the Rosenbergs' attorney, Block, is making other motions and is basing them on the fact that Greenglass committed perjury. Mr. Lombard stated he wanted to have Greenglass moved to New York so he would be nearby to assist in the preparation of Lombard's answer, etc. Mr. Rogers stated there was some question in his mind about the propriety or wisdom of moving Greenglass to New York and he wanted my thought on the matter. I told Mr. Rogers I felt the same way. I stated I thought any publicity concerning this matter now was not a particularly healthy thing and I mentioned particularly the publicity this morning about the visit of Director of Prisons Bennett to Sing Sing. I stated I would like to see this matter played down to the usual routine execution and I thought if he brought Greenglass to New York there was bound to be a good deal of publicity on it. I stated if the U. S. Attorney in New York wanted to talk to Greenglass he could go himself or send an assistant to talk with him, or we could find out what answer Greenglass could make which would enable Lombard to make his reply to Block. Mr. Rogers stated this was his reaction as anything done now out of the ordinary was going to be built up out of all proportion.

I stated Block was on his way to Sing Sing now in connection with the wire the Rosenbergs had sent him regarding Mr. Bennett's visit to Sing Sing, to the effect they had been coerced, etc., and he announced he would have a press conference after he had been to see them and would have startling news. I stated I thought the startling news was this new motion he is going to make which has very little merit as it is based primarily upon the fact that Greenglass perjured himself in that when the FBI interviewed him originally back in 1950, Greenglass denied he had ever stolen any uranium from Los Alamos. Later, however, it came out that he did steal this uranium, which they allege proves he is unworthy of belief because he lied to the FBI. I stated also that Greenglass made a written statement to his lawyer, Mr. Rogge, which Rogge had in his office files, which statement was previously stolen, photostated, and put back in Rogge's files, according to Rogge, in which they contend that what Greenglass testified in court was a little different than what he said in the statement to Rogge.

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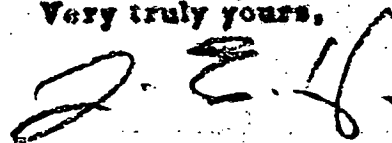
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62-41469

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I stated I thought if between now and the date of execution there is anything we do to draw any unnecessary publicity, it is just going to make the matter more complicated than ever. I stated if Greenglass was taken to New York, Block would demand the right to see him, which would be difficult to refuse, and Block might even try to get Greenglass called before the Court on some motion, which would result in TV cameras being set up on the sidewalks for his arrival and departure and I stated I thought this would be most unfortunate. I stated any information which U. S. Attorney Lombard desired we would be glad to obtain for him and have it back to him within a few hours. Mr. Rogers agreed with me and stated he would talk to the Attorney General about the matter upon his return from the White House.

Very truly yours,



John Edgar Hoover
Director

JEH:mpd

SENT	7-1-53
TIME	3:30 PM
DATE	6-4-53
BY	[Signature]

~~INDEXED~~ 100

TRANSLATION FROM FRENCH

"L'HUMANITE"
May 5, 1953

The above issue prints the following article:

20,000 NEW YORKERS DEMONSTRATE FOR THE
ROSENBERGS

An Expert Declares That The Letter, Proving That The F. B. I. Faked
The Case, Is Actually By The Hand Of GREENGLASS.

Around 20,000 persons, in spite of bad weather, filled the Randall Stadium in New York, on Sunday afternoon, for the purpose of showing their solidarity to ETHEL and JULIUS ROSENBERG, and their desire to rescue the latter from death and from prison.

This meeting was so important that the "great" American press was unable to maintain silence on the matter, and the principal newspapers and press agencies were represented.

The chief speaker was JOSEPH BRAININ, chairman of the AMERICAN COMMITTEE FOR DEFENSE OF THE ROSENBERGS. He examined the new facts giving grounds for the revision of the trial. First of all, he let it be known that an expert had examined the letter proving that the F. B. I. (American Political Police) had falsely devised all the pieces of evidence against the ROSENBERGS. ("L'HUMANITE" recently published the photograph of this letter), and that this expert had confirmed that the letter was indeed in the hand of GREENGLASS.

Now it will be remembered that this letter, - which is a review by GREENGLASS concerning the interrogatories he underwent from the F. B. I., - is in complete opposition with the deposition by this same GREENGLASS at the trial. Moreover, it makes no allusion to any transmission to JULIUS ROSENBERG of claimed atomic "secrets" and does not even mention ETHEL ROSENBERG.

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7 JUN 24 1953

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The authenticity of this document, which proves in an irrefutable way the innocence of the ROSENBERGS, is so evident that GREENGLASS' lawyer JOHN ROGGE - renegade from the AMERICAN PEACE MOVEMENT and a TITO agent, has just made semi-admission. He has just declared that "a document of this type had indeed been written by GREENGLASS and is obviously identical with that published by the French press." ROGGE added that the original of this document might have been "borrowed" from the files of the F. B. I. Whereupon the F. B. I. states that it is investigating into the temporary absence of the letter. However in doing this, the F. B. I. confirms that this document exists, thus it is true.

In this way the fakers of the case are, themselves, caught red-handed.

BRAININ also, at the meeting, read from a second document which is a deposition made by GREENGLASS' wife regarding the character of her husband. She stated that "he has a tendency to hysteria, at times he is delirious, and that one day, during an attack of grippe, he tramped completely naked, up and down his hallway declaring that he was surrounded by elephants and that he did not want to wear leaden (heavy) trousers." Madame GREENGLASS added that she had known her husband "since the age of ten and that he has the habit of lying at any time." Thus, according to his own wife, GREENGLASS is a hysterical person and a liar; and it is such a man's testimony which alone suffices to sentence the ROSENBERGS to the electric chair.

During the demonstrations, was read a statement by the great atomic scientist HAROLD UREY: "I have no reason to change my opinion concerning what I said a year ago, to wit: that the testimony by the ROSENBERGS is more credible than that of GREENGLASS.

The chairman of the AMERICAN COMMITTEE FOR DEFENSE OF THE ROSENBERGS spoke also of the famous "table" made use of by the prosecution (without exhibiting it and for very good reason!) at the trial, and which the prosecution claimed was given to the ROSENBERGS by some "Russian friends." It is now known that this table has just been found, and proven - just as the ROSENBERGS stated - to have been bought by them in a big store in New York.

Mrs. SOPHIE ROSENBERG, mother of JULIUS ROSENBERG, closed the magnificent Randall Stadium meeting by declaring: "I have just passed two hours with JULIUS and ETHEL in their prison. Both of them send expression of affection to all their friends who, throughout the entire world, are fighting for their cause which is that of justice."

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"DROIT ET LIBERTE
AGAINST RACIALISM AND ANTI-SEMITISM AND FOR PEACE"
May 1953

The following headline article appears on the first page and is continued on the fifth page:

REVIEW THE ROSENBERG TRIAL!
Such Steps Are Demanded After Discovery of TWO NEW FACTS
Proving that GREENGLASS, Chief Witness for the Prosecution
HAS LIED
Let Us Increase the Delegations, the Letters the Petitions
In Order to Make Justice Triumph!

N.Y.

By Mr. PAUL VILLARD
Secretary of the FRENCH COMMITTEE FOR DEFENSE OF THE ROSENBERGS

Here is the facimile of the letter by GREENGLASS, in which the prosecution's Witness No. 1. at the ROSENBERG Trial acknowledges that some of his statements were "suggested" to him by the American police. The complete translation will be found on page 5. (Then is printed picture of three pages in English, only one of which may be read in entirety.)

A Double Sensation

The readers of "DROIT ET LIBERTE" remember that the entire indictment in the ROSENBERG case rests upon the testimony of DAVID GREENGLASS and of his wife. The Court of Appeals of the 2nd Circuit of the State of New York has, actually declared, that "without the testimony by DAVID GREENGLASS the sentence could not have been upheld...."

A sentence resting upon such a frail legal basis raises - even without examining the facts - a point which did not fail to shock all jurists. Actually it is impossible to admit that a sentence be pronounced solely on the statements by a co-author or by an accomplice who has an evident interest in misrepresenting the truth and in transferring all, or a part of his responsibility, upon the person whom he accuses.

For several months all impartial jurists have been convinced that GREENGLASS was a false witness. This resulted from the mendacious character of his affirmations. GREENGLASS had, actually sworn that he had, from the start and even before his arrest, decided to cooperate with the

X

government; however Attorney General SAYPOL, at the time of GREENGLASS' sentence, stated that the latter had begun by denying the facts and that it was only upon entreaties by his wife that he finally decided to "cooperate with the government."

The false testimony by GREENGLASS is also brought out in a positive manner by the scientific impossibility of the exploits which he boasts of in his affidavit. His "rather good description of the atomic bomb" in twelve pages, is an impossibility which has been emphasized by numerous scientists, and particularly by Nobel Physics Prize Professor UREY, one of the great scientists who directed the operations of Los Alamos.

However two new facts have just shown, - even to persons carried away by passions, - that GREENGLASS is a false witness. The indictment, in effect, placed great emphasis on a mysterious table which, - according to GREENGLASS and his wife, - the ROSENBERGS may have received as a present from some "Russians." This table could have contained clever arrangements permitting the taking of microfilm. The ROSENBERGS, on the contrary, swore that this was an occasional table of very ordinary model which they had bought for a price of around 20 dollars in a big New York store named MACY's. Attorney General SAYPOL contradicted them by saying that there were no tables less than 85 dollars at MACY's. Now the famous table has just been found and identified by the MACY's Manager; this table had indeed cost around 20 dollars; it was a very ordinary article: the ROSENBERGS had indeed told the truth and GREENGLASS had lied, and the Attorney SAYPOL had indulged in fictitious deviations contrary to truth....

Truth always ends by winning out, and that explains the haste with which a section of American public opinion, - poisoned by newspapers which prior to 1939 backed HITLER and MUSSOLINI - demanded execution of the ROSENBERG couple.

A sensational* document has been published by the newspaper "CO'BAT" who, upon our request, turned over to us a photograph copy. This copy shows three pages, of manuscript written by DAVID GREENGLASS, in which the latter specifically acknowledged that the F. B. I. made him put within his deposition some statements contrary to truth, or concerning which he did not have any recollection. The FRENCH COMMITTEE FOR THE DEFENSE OF THE ROSENBERGS has sent these photograph copies by plane to Mr. BLOCH. And it will be easy, at the American Court, to establish the authenticity of them, through an examination of the handwriting of GREENGLASS.

*Translator's note: In French this means unusual interest.

INDEX

The entire indictment is collapsing. Thanks to the world campaign which several times has broadcast concerning the execution of the ROSENBERGS, truth is just showing itself in a brilliant way; and the execution of the ROSENBERG couple would be a crime whose odious character could no longer be hidden from world public opinion. A country, like an individual, gains distinction in acknowledging and rectifying the mistakes which it might commit; and all men of good will are confidently awaiting the revision of the trial.

Page 5 of this newspaper is entirely devoted to demands for acquittal of the ROSENBERGS. The page is headed: "JUSTICE FOR THE ROSENBERGS!" prints a picture of them behind bars, and the page is made up of the following articles: On the left appears statement by the FRENCH COMMITTEE FOR DEFENSE OF THE ROSENBERGS, this calls for increasing and strengthening everywhere the world-wide protests against their execution. Below this describes how the above French Committee sent a delegation to the American Embassy in Paris, on April 23rd with "thousands of signatures" that the delegation was composed of writers: ANDRE SPIRE and MICHEL LEIRIS; then the "Master of Research" (at the French NATIONAL COMMITTEE FOR SCIENTIFIC RESEARCH or CNRS) ERNEST KAHANE; the secretary General of the WRAP CHARLES TALANT; as well as the following: COLETTE OREL; ALBERT HOUDINE; ALBERT LEVY; and Mr. LYMENSTEIN of the WRAP; PROFESSOR VLADIMIR PROLOW of the University of Paris; Dr. JEAN DALSACE; and GABRIEL HEMORY. Two other articles state that the French ATOMIC ENERGY COMMISSARIAT members and fourteen professors of the NORMAL ADVANCE STUDY SCHOOL signed petitions for the ROSENBERGS. The center article is entitled: "GREENGLASS HAS LIED" and prints a translation of the "newly discovered" GREENGLASS letter. To the right are statements against the execution attributed to Prof. JULES BLOCH of the College of France; PIERRE LAROCHE "scenarist;" JEAN CASSOU Director of the Museum of Modern Art; CHARLES LUBERT composer. Below these is printed letter sent by "Mr. PIERRE F. of Paris" to "Mr. GUY de ROTHSCHILD" who heads the "FSJU (UNITED JEWISH SOCIAL FUND)" sending contribution to latter and urging latter to back the ROSENBERG PETITION. Mr. de ROTHSCHILD acknowledged the money but ignored the ROSENBERG plea and Mr. F. has written again. Then comes an article stating that "Mr. MARCEL WILLARD ... the noted lawyer and defendant of GEORGE DIMITROV" Issued a declaration comparing the ROSENBERG case to that of DREYFUS, condemning GREENGLASS and stating that no honest man would deny a revision of the trial which was "fabricated." After a partial summary of the case he adds: "The Supreme Court's liability would be overwhelming towards the people and towards history if the jurists which compose it (Court) ever lay themselves open to the ineffaceable dishonor (which would be attached to everyone of them) by renewing the gesture of PONTIUS PILATE."

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Across the bottom of the page is the following article:
"An Interview With Mr. JOSEPH BRAININ, Chairman of the AMERICAN COMMITTEE FOR DEFENSE OF THE ROSENBERGS: "ETHEL AND JULIUS HAVE FAITH IN THE SOLIDARITY OF MEN WITH HEARTS." There are seven parts to this article, they are in form of questions with answers by JOSEPH BRAININ, and on right is a picture of latter. The first answer assures questioner how many millions of people in U. S. are in back of the ROSENBERGS, these including Professors UREY and EINSTEIN and also bishops and clergymen and civic leaders have appealed to President EISENHOWER, and the Randall Stadium meeting was tremendous, the Stadium "holds" 35,000 people. The second answer concerns world repercussions against the execution and pays tribute to that of the "vigorous action" by the French people. The third answer tells of the hardness of American prison regulations which do not permit anyone except their attorney EMANUEL BLOCH and members of their family to see them and they cannot receive any mail and ETHEL is the second woman ever to be sentenced to death in the United States. The fourth answer describes how bravely they are bearing up and how resolute they are in professing their innocence in spite of the war of nerves tactics made to break them down. The fifth answer says the persecution of the ROSENBERGS is definitely anti-semitism and was shown at their trial and the actions in U. S. Government circles are emphatically against Russian Jews, and the ROSENBERGS are the innocent victims of this. The sixth answer continues the anti-semitic theme, and tells how the campaign is showing itself in U. S. through the McCARRAN IMMIGRATION ACT, Representative WALTER, and the persecution of all Jews if they can be shown as Reds or even Pinks; the weekly bulletins against them by MERVIN K. HART, campaigns in the press against having Jewish neighbors and attacks on their homes and synagogues; that the ROSENBERG Case is a part of this campaign. The seventh and last answer deals with the question of the perspectives of saving the ROSENBERGS, the answer being that there is absolutely no doubt but that the ROSENBERGS have been saved this far, owing to world action conducted in their behalf; however the next weeks are critical ones before the coming of the Supreme Court's decision, therefore there should be the greatest intensifying of world action by messages, delegations and appeals and if these are intense enough "we have the hope of snatching two innocent persons from the electric chair and making justice triumph." At end of article is another short one advising that the French writer GEORGES ARNAUD has come out in defense of the ROSENBERGS.

Other articles in this issue are inflammatory particularly in regard to anti-Semitism and accuse France and "capitalist" nations of various outrages, article on page 6 tells of K.K.K. activities against U.S. negroes.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 26 1953

TELETYPE

Mr. Tolson	
Mr. Ladd	
Mr. Nichols	
Mr. Belmont	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Egan	
Mr. Gurnea	
Mr. Hendon	
Mr. Jones	
Mr. Quinn	
Mr. Nease	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Mr. Sizoo	
Miss Gandy	

WASH 26 FROM NEW YORK 26 10-54 P
DIRECTOR URGENT

JULIUS ROSENBERG, ET AL, ESPIONAGE - R. RUTH GREENGLASS ADVISED TODAY THAT BERNARD GREENGLASS, ACCOMPANIED BY DAVID ROSENBERG, WENT TO OSSINING TO VISIT RABBI KOSLOWE, MAY TWENTY FIVE, LAST. THE RABBI ASKED BERNARD GREENGLASS ABOUT THE THEFT OF THE URANIUM BY DAVID GREENGLASS FROM LOS ALAMOS. BERNARD TOLD THE RABBI THAT THIS MATTER WAS INCONSEQUENTIAL. RUTH ADVISED THAT SHE QUESTIONED BERNARD IN AN EFFORT TO OBTAIN FROM HIM EVERYTHING THAT TRANSPIRED AT THIS MEETING. BERNARD TOLD HER THAT THE MEETING WAS CALLED BECAUSE BOTH JULIUS AND ETHEL HAVE BEEN TELLING THE RABBI ABOUT THE URANIUM AND REQUESTED THE RABBI TO TALK TO BERNARD ABOUT IT AND FURTHER FIND OUT WHY BERNARD HAS NOT VISITED ETHEL. BERNARD GREENGLASS ASSURED RUTH THAT HE WOULD NOT SIGN ANY AFFIDAVIT AS REQUESTED BY JULIUS AND ETHEL CONCERNING HIS KNOWLEDGE OF THE THEFT OF URANIUM OR TOOLS. RUTH GREENGLASS MADE AVAILABLE AN ORIGINAL LETTER ON THE STATIONERY OF PITT MACHINE PRODUCTS, INC., DATED AUGUST EIGHTEEN, NINETEEN FORTY NINE. THIS LETTER READS AS FOLLOWS-

END OF PAGE ONE

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JUN 4 1953

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PAGE TWO

QUOTE TO WHOM IT MAY CONCERN- DAVID GREENGLASS COMES TO YOU WITH OUR HIGHEST RECOMMENDATION, HE HAS WORKED FOR US FOR THE PAST FOUR YEARS IN THE CAPACITY OF SHOP FOREMAN AND ENGINEER. THIS MAN HAS WORKED VERY EFFICIENTLY DOING EXPERIMENTAL ENGINEERING, WORKING OUT DESIGN DETAILS, AND PUTTING THEM INTO PRODUCTION. HE HAS A THOROUGH KNOWLEDGE OF MACHINE TOOLS AND MACHINE TOOL PROCESSES AND HAS SUPERVISED OUR ENGINEERING AND SHOP DEPARTMENTS THESE LAST FOUR YEARS. UNQUOTE. THIS LETTER IS SIGNED YOUR TRULY, PITT MACHINE PRODUCTS, INC., JULIUS ROSENBERG, PRESIDENT, AND BEARS THE SIGNATURE OF JULIUS ROSENBERG. RUTH GREENGLASS ADVISED THAT THIS LETTER WAS GIVEN TO DAVID BY JULIUS, WHEN HE, DAVID, WAS LEAVING PITT MACHINE PRODUCTS TO GET A JOB ELSEWHERE. RUTH BELIEVED THAT THIS LETTER WAS WRITTEN BY ETHEL ROSENBERG ON THE TYPEWRITER IN HER APARTMENT. AUSA KILSHEIMER HAS BEEN ADVISED OF THE FOREGOING AND A COPY OF THIS LETTER WILL BE SUBMITTED TO HIM AND TO THE BUREAU, UNDER SEPARATE COVER.

BOARDMAN

HOLD PLS

CC: MR. BURMONT
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cc - Mr. Belmont

Assistant Attorney General
Warren Olney III

June 1, 1953

Director, FBI

JULIUS ROSENBERG, et al
ESPIONAGE - R

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65 - 58236 - 1684

Reference is made to information previously furnished you concerning the efforts of the Rosenbergs to secure an affidavit from Bernard Greenglass to the effect that he knew David Greenglass had stolen tools and uranium from both Fort Ord, California, and Los Alamos, New Mexico, for possible use by the Rosenbergs in future legal proceedings to prove David Greenglass unworthy of belief.

Ruth Greenglass has advised that on May 25, 1953, Bernard Greenglass and David Rosenberg, brother of Julius Rosenberg, visited Rabbi Koslows at Sing Sing prison. Bernard advised Ruth that the Rabbi questioned him about the theft of uranium by David Greenglass and he told the Rabbi that this matter was inconsequential. Bernard also advised Ruth that the meeting with the Rabbi was arranged because Julius and Ethel Rosenberg told the Rabbi about the uranium and requested the Rabbi to talk to Bernard about it and also to find out why Bernard had not visited Ethel. Bernard assured Ruth that he would not sign any affidavit, as requested by the Rosenbergs, concerning his knowledge of the theft of uranium and tools by David Greenglass.

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COMM - FBI

JUN 2 1953

MAILED 30

Ruth Greenglass made available to our New York Office an original letter on the stationery of Pitt Machine Products, Incorporated, dated August 18, 1949. This letter reads as follows:

"To Whom it may concern:

"David Greenglass comes to you with our highest recommendation, he has worked for us for the past four years in the capacity of shop foreman and engineer. This man has worked very efficiently doing experimental engineering, working out design details, and putting them into production. He has a thorough knowledge of machine tools and machine tool processes and has supervised our engineering and shop departments these last four years."

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Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gearty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

JUN 16 1953

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~~SECURITY INFORMATION - CONFIDENTIAL~~

This letter was signed by Julius Rosenberg as President of the above company. Ruth Greenglass further advised that this letter was given to her husband by Julius Rosenberg when her husband was leaving this company to secure a job elsewhere. She was of the opinion that this letter was typed by Ethel Rosenberg on the typewriter in her apartment.

Assistant U. S. Attorney James Kilsheimer of the Southern District of New York has been advised of the foregoing and a copy of the above letter is being submitted to him.

You will be kept advised of any additional developments in this matter.

65-58236

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~~SECURITY INFORMATION - CONFIDENTIAL~~

URGENT
AIR-TEL

JUNE 2, 1953

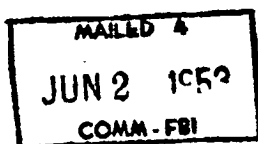
SAC, NEW YORK (65-15348)

**JULIUS ROSENBERG, ET AL, ESPIONAGE - R. REBUTEL
MAY FOURTEEN, NINETEEN FIFTYTHREE, REQUESTING
OUTSTANDING LEADS BE COVERED EXPEDITIOUSLY AND
REPORT SUITABLE FOR DISSEMINATION BE SUBMITTED
AS SOON AS POSSIBLE. IN VIEW OF SUBJECTS INTENTION
TO MOVE IMMEDIATELY FOR NEW TRIAL ON GROUNDS OF NEWLY
DISCOVERED EVIDENCE, SUPREP BRINGING CASE UP TO DATE
TO REACH THE BUREAU NO LATER THAN JUNE FIFTEEN NEXT.**

HOOVER

NOTE: Supreme Court denied Rosenbergs' petition for certiorari March 25, 1953 and vacated stay of execution of their sentence. Judge Kaufman has fixed date of sentence for week of June 15 next. Rosenbergs' attorney attempting various legal moves to delay execution and is expected to move for a new trial on newly discovered evidence to prove David Greenglass, main government witness, perjured himself.

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Winterrowd _____
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JUN 2 1953
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65-58236-1685

U.S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 31 1953

TELETYPE

Mr. Tolson ☒
Mr. Ladd ☒
Mr. Nichols ☒
Mr. Belmont ☒
Mr. Clegg ☒
Mr. Glavin ☒
Mr. Harbo ☒
Mr. Rosen ☒
Mr. Tracy ☒
Mr. Gearty ☒
Mr. Mohr ☒
Mr. Winterrowd ☒
Tele. Room ☒
Mr. Holloman ☒
M. ☒

FBI NEW YORK CITY 5-31-53 7-43 PM FJM

DIRECTOR AND SAC PHILADELPHIA URGENT

JULIUS ROSENBERG, ET AL, ESPIONAGE - R. RUTH GREENGLASS ADVISED TODAY THAT BERNARD GREENGLASS, BROTHER OF DAVID, TOLD HER THAT HE HAD VISITED HIS SISTER, ETHEL ROSENBERG, AT SING SING ON THE THIRTIETH LAST. BERNARD TOLD RUTH THAT ETHEL HAD REQUESTED THAT HE GIVE AN AFFIDAVIT CONCERNING HIS KNOWLEDGE OF THE THEFT OF URANIUM BY DAVID FROM LOS ALAMOS. RUTH STATED THAT BERNARD WAS IN A VERY HIGHLY AGITATED STATE OF MIND AND BELIEVED THAT BERNARD WOULD DO AS ETHEL REQUESTED. SHE STATED THAT SHE HAD DISCUSSED THIS FACT WITH MR. FABRICANT AND FURTHER THAT SHE BELIEVES THAT BLOCH WOULD SUBPOENA HE FILE FROM O. JOHN ROGGE. SHE STATED THAT FABRICANT ADVISED HER THAT THIS FILE WAS CONFIDENTIAL BETWEEN HERSELF AND ROGGE-S FIRM. SHE STATED THAT SHE WOULD REFUSE TO HAVE THIS FILE MADE PUBLIC. SHE STATED THAT SHE WOULD HAVE BERNARD GREENGLASS CONTACT SA JOHN A. HARRINGTON OF THE NYO. BERNARD GREENGLASS CONTACTED THIS AGENT AND ADVISED HIM THAT HE HAD VISITED HIS SISTER, ETHEL, AND PURSUANT TO HER REQUEST HAD WRITTEN OUT A STATEMENT IN HIS OWN HANDWRITING CONCERNING THE URANIUM AND HAD GIVEN THIS STATEMENT TO BLOCH. HE ADVISED THAT HE WROTE IN THIS STATEMENT THE FACT THAT IN NINETEEN FORTY-SIX, HIS BROTHER DAVID, TOLD HIM THAT HE HAD TAKEN A PIECE OF

END OF PAGE ONE

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PAGE TWO
URANIUM FROM LOS ALAMOS AND THAT SOME TIME IN NINETEEN FIFTY BEFORE HIS
ARREST, HE THREW THE URANIUM AWAY. BERNARD STATED THAT HE WAS UNDER A
VERY SEVERE EMOTIONAL STRAIN AND BELIEVED THAT THIS STATEMENT WOULD NOT
HARM HIS BROTHER, DAVID, AND FURTHER WOULD NOT HELP HIS SISTER, ETHEL.
HE STATED THAT HE BELIEVED THAT DAVID AND RUTH GREENGLASS TOLD THE TRUTH
AND THAT ETHEL AND JULIUS ROSENBERG WERE GUILTY. IT IS LIKELY THAT AN
AFFIDAVIT CONCERNING THE URANIUM WILL BE REQUESTED FROM DAVID GREENGLASS
BY THE USA. PHILADELPHIA IS ADVISED THAT THE CONTEXT OF THIS AFFIDAVIT
WILL BE SUPPLIED AND SAME SHOULD BE OBTAINED FROM DAVID GREENGLASS AT
LEWISBURG AS SOON AS POSSIBLE. USA, SDNY, ADVISED THE FOREGOING. NO
COMMENT MADE BY SA HARRINGTON TO BERNARD GREENGLASS CONCERNING ABOVE.

BOARDMAN

END AND ACK PLS

WA 7-51 PM OK FBI WA NRB

PH OK FBI PH AJGH

DISC

CC: MR. BELMONT
~~AND SUPERVISOR~~
DOM. INTEL. DIVISION

Assistant Attorney General
Warren Olney III

June 1, 1953

RECORDED - 58

Director, FBI

65-58236-1686
JULIUS ROSENBERG, et al.
ESPIONAGE - R

Reference is made to information previously furnished you concerning the efforts of the Rosenbergs to secure an affidavit from Bernard Greenglass that he knew David Greenglass had stolen uranium while in the Army.

Ruth Greenglass has advised that Bernard Greenglass told her he had visited his sister, Ethel Rosenberg, at Sing Sing Prison on May 30, 1953. He stated that Ethel had requested that he give an affidavit concerning his knowledge of the theft of uranium by David from Los Alamos. Ruth Greenglass further advised that Bernard was in a highly agitated state of mind and it was her opinion that Bernard would do as Ethel requested. Ruth Greenglass also advised that she had discussed this matter with Mr. Fabricant, an associate of O. John Rogge. She also discussed with Mr. Fabricant the possibility that Emanuel Bloch, Rosenberg's attorney, would subpoena Rogge's file in this case. Fabricant advised her that this file was confidential between herself and Rogge's firm. She stated that she would refuse to have this file made public.

On May 31, 1953, Bernard Greenglass contacted an agent of our New York Office and advised that he had visited his sister, Ethel, and had written out a statement at her request concerning uranium. He gave this statement to Bloch. He stated that in the statement he mentioned the fact that in 1946 his brother, David, told him he had taken a piece of uranium from Los Alamos, and that some time in 1950 before his arrest, he threw the uranium away. Bernard further advised that he was under a very severe emotional strain. He expressed the opinion that this statement would not harm his brother or help his sister, stating that he believed that David and Ruth Greenglass had told the truth and that Ethel and Julius Rosenberg were guilty.

Our New York Office has advised United States Attorney Southern District of New York, of the above information. On this date Federal Judge Irving R. Kaufman denied a petition made by Bloch for an order vacating or correcting

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Clegg _____
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Harbo _____
Rosen _____
Tracy _____
Gandy _____
Winterrowd _____
Tele. Room _____
Holloman _____
 Sizoo _____
Miss Gandy _____

APL:aww

JUN 15 1953

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the sentences of death imposed by Judge Kaufman upon the Rosenbergs on the ground that the sentences were illegal in that the maximum allowed by law was twenty years. After Judge Kaufman denied this petition Bloch announced that he would immediately appeal this matter to the United States Circuit Court of Appeals. Mr. Bloch also indicated that he intends to move immediately under Rule 2255 for a new trial on the grounds of newly discovered evidence.

You will be kept advised of any additional developments in this matter.

65-58236

- 2 -

SECURITY INFORMATION - ~~CONFIDENTIAL~~

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT *Q*

FROM : MR. C. E. HENNRICH

SUBJECT: JULIUS ROSENBERG;
ETHEL ROSENBERG
ESPIONAGE - R

DATE: June 2, 1953

Tolson ☒

Ladd ☒

Nichols ☒

Belmont ☒

Clegg ☒

Glavin ☒

Harbo ☒

Rosen ☒

Tracy ☒

Laughlin ☒

Mohr ☒

Winterrowd ☒

Tele. Rm. ☒

Holloman ☒

Gandy ☒

Supervisor Tom McAndrews of the New York Office advised at 3:50 p.m. today, June 2, that the Circuit Court of Appeals, consisting of Judges Swan, Frank, and Hand, has denied the motion for mandamus applied for by Emanuel Bloch, attorney for the Rosenbergs, against Judge Kaufman on June 1, 1953. They also denied the application for stay of execution.

ACTION:

For your information.

CEH:LL

cc-MR. NICHOLS

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JUN 4 1953

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HEREIN IS UNCLASSIFIED
DATE 7-24-86 BY 3042 PWT-JAR

G.I.R.-5

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 1 1953

TELETYPE

Mr. Ladd	_____
Mr. Nichols	_____
Mr. Belmont	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Harbo	_____
Mr. Rosen	_____
Mr. Tracy	_____
Mr. Gearty	_____
Mr. Mohr	_____
Mr. Winterrowd	_____
Tele. Room	_____
Mr. Holloman	_____
Mr. Sizoo	_____
Miss Gandy	_____

WASHINGTON FROM NEW YORK 6 1 10-57 P
DIRECTOR URGENT

JULIUS ROSENBERG, ESPIONAGE DASH R. MOTION IN DISTRICT COURT TO SET ASIDE SENTENCE OF DEATH WAS HEARD TODAY BY JUDGE IRVING R. KAUFMAN. BLOCH ARGUED FOR ABOUT FIFTY MINUTES THAT THE INDICTMENT WAS DEFECTIVE IN THAT IT DID NOT ALLEGE THAT THE CONSPIRACY TOOK PLACE IN TIME OF WAR OR WAS INTENDED TO TAKE PLACE IN TIME OF WAR. HE ALLEGED THAT THE SENTENCE IMPOSED WAS ONE THAT IS IMPOSED FOR AGGRAVATED PENALTY FOR CONSPIRACY IN TIME OF WAR SINCE THE INDICTMENT WAS FAULTY, THE SENTENCE IMPOSED COULD BE NO MORE THAN TWENTY YEARS. JUDGE KAUFMAN ASKED BLOCH IF HE TOOK THE POSITION THAT THE DEFENDANTS WERE FULLY ADVISED OF THE CHARGE AGAINST THEM AND OF THE FACT THAT THE CHARGE WAS A CAPITOL CRIME. BLOCH STATED THAT HE DID TAKE THAT POSITION. THE JUDGE STATED THAT THE COURT WOULD LACK POWER TO IMPOSE A DEATH PENALTY IF THE DEFENDANTS WERE NOT ADVISED OF WHAT THEY HAD TO MEET AND IF THE COURT IMPOSED A SENTENCE FOR SOMETHING OTHER THAN WHAT THEY WERE CHARGED IN THE INDICTMENT. USA LUMBARD OPPOSED THE MOTION STATING THAT THE INDICTMENT CLEARLY CHARGED THAT THE ROSENBERGS WERE CHARGED WITH AN OFFENSE PUNISHABLE BY DEATH. HE REFERRED TO THE MANY INSTANCES DURING THE TRIAL WHEN

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APC
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cc Belmont
cc Brownson

cc [Signature]

PAGE TWO

IT WAS BROUGHT FORTH THAT THE ROSENBERGS WERE SUBJECT TO THE DEATH PENALTY. AFTER A TEN MINUTE RECESS JUDGE KAUFMAN DENIED THE MOTION AND DENIED THE APPLICATION FOR STAY. HE STATED THAT THE MOTION WAS TRANSPARENT AND WITHOUT ANY MERIT WHATEVER. HE THEN RECOUNTED HOW THIS MATTER HAS BEEN TO THE SUPREME COURT ON THREE OCCASIONS AND THROUGH THE CIRCUIT COURT OF APPEALS ON THREE OTHER OCCASIONS. HE STATED THAT IF HE WERE TO HAZARD A GUESS TWENTY FIVE CAREFULLY PLANNED POINTS OF LAW WERE RAISED IN THE COURT IN THE TWO YEARS AND TWO MONTHS SINCE THE CONVICTION, AND THAT THIS WAS THE FIRST TIME THIS POINT HAD BEEN SUBMITTED. HE STATED IT WAS CLEAR THAT THE WORDS "THEN AND THERE BEING AT WAR" CLEARLY SHOWED TO THE DEFENDANTS AND THEIR COUNSEL THAT THEY WERE CHARGED WITH HAVING CONSPIRED IN WAR TIME AND TRANSMITTED INFORMATION IN WAR TIME. THE JUDGE THEN STATED THAT THERE WAS NO DEFECT IN THE INDICTMENT. THE JUDGE REFERRED TO THE FACT THAT BLOCH-S TIMING IN BRINGING THIS MOTION WAS PECULIAR, AND BLOCH STATED THAT HE DID NOT THINK IT WAS PROPER

END PAGE TWO

PAGE THREE

FOR HIM TO PRESENT THIS MOTION BEFORE OTHER MATTERS PENDING IN APPELLATE COURTS HAD NOT BEEN DECIDED. THE JUDGE TOLD HIM THAT HE THOUGHT HE WAS WRONG IN SO ACTING. USA LUMBARD INQUIRED OF BLOCH IF HE INTENDED TO BRING OTHER MOTIONS. BLOCH STATED THAT HE INTENDED TO BRING ANOTHER MOTION UNDER SECTION TWO TWO FIVE FIVE ON THE GROUND THAT THE GREENGLASSES HAD PURJURED THEMSELVES AND HE HAD PROOF THAT THE ROSENBERGS TESTIMONY WAS CORRECT. BLOCH STATED THE EVIDENCE HAD ONLY RECENTLY COME TO HIS ATTENTION AND THAT ONE POINT OF EVIDENCE HE HAD ONLY RECEIVED YESTERDAY. THIS REFERS PROBABLY TO THE FACT THAT HE HAD OBTAINED A STATEMENT FROM BERNARD GREENGLASS ABOUT THE THEFT OF URANIUM AS REPORTED IN NY TEL MAY THIRTY ONE LAST. HE THEN ASKED FOR A STAY OF EXECUTION CLAIMING THAT THE ROSENBERGS WERE IN SING SING AND WERE NOT GOING ANY PLACE. THE STAY WAS OPPOSED BY USA LUMBARD, WHO STATED THAT IT WAS ABOUT TIME THAT THE SENTENCE IMPOSED BY THE COURT BE CARRIED OUT. JUDGE KAUFMAN THEN DENIED THE STAY OF EXECUTION.

BOARDMAN

HOLD

The Attorney General

June 2, 1953

Director, FBI

65-58236-1688

JULIUS ROSENBERG, et al.

RECORDED
ESPIONAGE - R

With reference to our conversation today concerning the Rosenberg case, the following developments are being brought to your attention.

As you are aware, Emanuel Bloch, attorney for the Rosenbergs, is attempting various legal moves to forestall the execution of his clients, which is scheduled for the week of June 15, 1953.

On the morning of June 1, 1953, argument on a motion of Bloch for a writ of mandamus ordering Judge Kaufman to reduce the sentences was heard before the United States Court of Appeals, Second Circuit, consisting of Judges Swan, Frank, and Augustus Hand. Bloch also made an application for a stay of execution before the Court. Bloch argued that Judge Kaufman had erroneously taken into consideration the following factors in sentencing the Rosenbergs: (1) The Rosenbergs' devotion to Soviet Russia. (2) Judge Kaufman classified the Rosenbergs as traitors, whereas they were not charged as being traitors. (3) The Rosenbergs had an intent to injure the United States, whereas the indictment charged that they transmitted information for the advantage of a foreign country. (4) The sentence of death was used by Judge Kaufman to coerce a confession from the Rosenbergs. Bloch stated that the Circuit Court had the right to correct an obvious error.

The United States Attorney of the Southern District of New York, Edward J. Lumbard, argued in opposition and stated that the Court of Appeals had passed on these questions more than fifteen months ago. The Court reserved decision.

On this date the Court of Appeals handed down its decision denying Bloch's motion for a writ of mandamus and Bloch's application for a stay of execution.

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JUN 15 1953

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On the afternoon of June 1, 1953, argument on a motion by Bloch to set aside the death sentences was heard in the United States District Court, Southern District of New York, by Judge Kaufman. Bloch argued that the indictment was defective in that it did not allege that the conspiracy took place in time of war or was intended to take place in time of war. He alleged that the death sentence is one imposed as an aggravated penalty for conspiracy in time of war, but since the indictment in this case was faulty, the sentence should have been no more than twenty years.

Mr. Lumbard argued in opposition that the indictment clearly showed the Rosenbergs were charged with an offense punishable by death. He referred to the many instances during the trial when it was brought forth that the Rosenbergs were subject to the death penalty.

After a ten minute recess, Judge Kaufman denied Bloch's motion. He also denied Bloch's application for a stay of execution. He stated that the motion was transparent and without any merit whatever. He recounted how this matter had been to the United States Supreme Court on three occasions and the Court of Appeals on three occasions. He stated that if he were to hazard a guess, 25 carefully planned points of law were raised in the Court in the two years and two months since the conviction and that this was the first time this point had been submitted. He also stated that it was clear the words "then and there being at war" appearing in the indictment clearly show to the Rosenbergs and their counsel that they were charged with having conspired in war time and transmitted information in war time. Judge Kaufman referred to the fact that Bloch's timing in bringing this motion was peculiar.

Mr. Lumbard inquired of Bloch if he intended to bring other motions. Bloch stated that he would submit another motion under Section 2255, Title 28, United States Code, on the grounds that David and Ruth Greenglass had perjured themselves and that he had proof the testimony of the Rosenbergs was correct. Bloch mentioned that the evidence on these points had only recently come to his attention and that one point of evidence had been received by him on May 31, 1953.

The Attorney General

June 2, 1953

In connection with Bloch's statement above of his intention to move under Section 2255, it is believed that he has reference to a recent statement which Bernard Greenglass, brother of David Greenglass, furnished him concerning his knowledge of the theft of uranium by David Greenglass while at Los Alamos. The complete facts concerning this matter were previously furnished to Mr. Olney by memoranda of March 24, 1953; April 14, 1953; and June 1, 1953.

Briefly, David Greenglass had been interviewed by our Agents in January, 1950, in connection with an investigation then being made involving the thefts of uranium hemispheres by numerous employees at Los Alamos. This interview with Greenglass was conducted prior to our knowledge of his involvement in Soviet espionage. Greenglass denied any knowledge of the thefts. In March, 1953, information came to our attention that the Rosenbergs were attempting to secure an affidavit from Bernard Greenglass that he had knowledge David had stolen some uranium while employed at Los Alamos and had lied to the FBI when questioned about it; further, that the Rosenbergs intended to use this affidavit to prove that David, the main Government witness against them, was unworthy of belief. On March 25, 1953, David Greenglass was reinterviewed concerning this matter. He admitted taking a uranium hemisphere as a souvenir and throwing it into the East River, New York City, shortly after his interview in January, 1950. He stated that he did not intentionally withhold this information from the FBI after his arrest in June, 1950, claiming that he had forgotten about it.

It is also believed that Bloch intends to use in this motion a statement given by David Greenglass to his attorney, O. John Rogge, shortly after his arrest on June 16, 1950. Complete data concerning these statements have been previously furnished to Mr. Olney by memoranda of May 1, 1953; May 6, 1953; and May 8, 1953. Briefly, during April of 1953, French newspapers carried a story on a statement purportedly in the handwriting of David Greenglass made in June, 1950, reportedly contradicting the story he gave the FBI concerning the espionage activities of the Rosenbergs. It will be recalled that this statement had been prepared by Greenglass at the request of his attorney, who wanted to know the gist of the statements made by him to the FBI. An analysis of this statement reflected no

substantial contradictions to the initial statement he gave our Agents after his arrest on June 16, 1950. Rogge's opinion was that this statement had been stolen from his files for photographing and later returned.

You will be kept currently advised of any additional developments in this matter.

65-58236

cc - 1 - Assistant Attorney General
Warren Olney III

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. D. M. LADD

DATE: June 3, 1953

FROM : MR. A. H. BELMONT

SUBJECT: JULIUS ROSENBERG, et al
ESPIONAGE - R

Tolson _____
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Miss Gandy _____

ASAC Whelan called at about 3:00 p.m. today (6/3), and the following information was relayed by SA John Harrington of the NYO, who received it telephonically, on a confidential basis, from [REDACTED] this afternoon. b7C

[REDACTED] advised that Julius and Ethel Rosenberg had a conference this morning with attorney Bloch. They discussed their next legal steps. John Finerty (who worked on the Sacco-Vanzetti case, according to SA Harrington), an attorney assisting Bloch, is going to write a letter to each member of the Supreme Court, condemning each of them for their refusal to grant certiorari and, further, for their vacating the stay of execution. Finerty is going to tell the Judges that if they feel his writing to them constitutes contempt of court, to go ahead and hold him in contempt.

Bloch is going to appeal to Justice Black or Justice Douglas for an order staying the execution, if their next appeal in NYC is turned down.

Bloch told the Rosenbergs that Bernard Greenglass had signed a statement for him last Sunday (May 31), stating that David Greenglass had told him he had stolen some uranium from Los Alamos and later had thrown it into the East River.

Bloch indicated he will also make another appeal for clemency to President Eisenhower.

Bloch and the Rosenbergs discussed the visit of Bennett of the Bureau of Prisons. Julius Rosenberg said Bennett told them that if they wanted to cooperate with the Government, Bennett would send the proper officials of the Government to see them, but they told Bennett they were innocent and could confess nothing.

Bloch and the Rosenbergs discussed a book which they are bringing out next week, which will consist of the letters from Julius to Ethel, and vice versa, while they have been in [REDACTED]

AHB:LL

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EX - 104

65-58236-1689

prison. This book will be the source of a foundation fund for the Rosenberg children, to be handled by Bloch. Representatives of various book companies in Europe, France, Italy, and South America have been contacted, and arrangements have been made to have the book distributed in those countries.

Bloch told the Rosenbergs that their case would be taken up at the meeting of the Big Three in Bermuda and that their case would have a major part in determining the result of the election coming up in Italy.

They discussed the possibility of getting a statement from David Greenglass to the effect that Irving Saypol told David Greenglass that if he would testify, the Rosenbergs would not get the death penalty.

I asked Mr. Whelan whether NY had any information that Saypol had made such a statement to David Greenglass. Whelan said that NY had no such information and it would appear highly improbable that Saypol would make such a statement. We could go to Saypol and to David Greenglass and ask them whether such a statement was made, but I question the advisability of this, as this information was furnished to us confidentially and appears to be speculation between Bloch and the Rosenbergs. We have no information here at the Bureau indicating Saypol made such a statement. Frankly, I do not think we should build this up by contacting either Saypol or David Greenglass. With further reference to this matter, it is recalled that when Judge Kaufman sentenced the Rosenbergs, he specifically stated that he did not desire any recommendations from the Government as to the sentence, inasmuch as he felt that this was his decision and his alone to make. Consequently, Saypol made no recommendation to the court.

ACTION:

The above information furnished by [REDACTED] is being sent by memorandum to the Attorney General, with a copy to Mr. Olney. 67CD

APM

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: May 26, 1953

FROM : MR. C. E. HENRICH *ce*

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Tolson ☒
Ladd ☒
Nichols ☒
Belmont ☒
Clegg ☒
Glavin ☒
Harbo ☒
Rosen ☒
Tracy ☒
Laughlin ☒
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Winterrowd ☒
Tele. Rm. ☒
Holloman ☒
Gandy ☒

G.I.R.-5

Supervisor Dudley Payne of the WFO called at 5:10 p.m. today (May 26). He advised that the motion which was filed this morning by Emanuel Bloch, attorney for the Rosenbergs, asking the Supreme Court to stay action on its denial of the petition for a writ of certiorari, was denied.

ACTION:

For your information.

ce
CEH:LL

65-58236-1690

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3042 PWT-JAR

62 JUN 12 1953

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 3 1953

TELETYPE

Mr. Tolson _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Belmont _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Harbo _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Egan _____
Mr. Gurnea _____
Mr. Mohr _____
Mr. Winterrowd _____
Tele. Room _____
Mr. Holloman _____
Miss Gandy _____

WA 5 NY 1 FROM PH 3 6-35 PM

DIRECTOR AND SAC.....U R G E N T

JULIUS ROSENBERG, ETAL, ESPIONAGE DASH R. WARDEN GEORGE HUMPHREYS
CONFIDENTIALLY ADVISED HE RECEIVED CALL TODAY FROM U.S. MARSHAL, NY,

ADVISING TWO MEN WERE COMING TO LEWISBURG PENITENTIARY TO REMOVE
DAVID GREENGLASS ON A WRIT TO SOUTHERN DISTRICT NY MORNING OF JUNE
FOUR. SUBSEQUENTLY RECEIVED SECOND CALL FROM MARSHAL INSTRUCTING
HIM NOT TO TURN GREENGLASS OVER TO THE TWO MEN BUT TO ADVISE THEM
TO CALL USM-S OFFICE IN NY AT TEN A. M. JUNE FOUR FOR FURTHER IN-
STRUCTIONS. NO FURTHER DETAILS KNOWN.

ABBATICCHIO

END

WA

MMTVLINE IS IN USE

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DZ

*Send memo to A. G.
V Rogers.*

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*Let to Atty General 65-58236-1691
6/7/53 JUN 10 1953
APL/aww*

56 JUN 15 1953

cc B. Livingston

ALL INFORMATION CONTAINED
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DATE 7-24-86 BY 3092 PUFJAR

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: June 4, 1953

FROM : D. M. LADD

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R
(BuFile 65-58236)

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Most recent developments are as follows:

1. Warden Denno of Sing Sing confidentially advised that when Mr. Bennett, Director of Bureau of Prisons, visited Rosenbergs 6-2-53, he told Denno he was going to speak with them and suggest that if they wanted to cooperate with the Government, they could do so through him. Denno told Bennett he did not think it wise to do this while court proceedings were still pending; further, the Rosenbergs would advise Bloch of anything Bennett said. Bennett stated he did not believe they would do so. Denno related as soon as Bennett left Sing Sing, Rosenbergs sent telegram to Bloch. Denno also advised Bennett asked why date of 6-18-53 had been set for execution, and he told Bennett this procedure had been determined in past conferences with Bennett and U. S. Marshal. Bennett wanted to know why date could not have been set for 6-16-53 and then postponed to 6-18-53. Denno told him that once a date was fixed no postponement would be had except on authority of a judge or the President.

2. On 6-3-53, Rosenbergs released statement to press stating they were offered deal by the Attorney General. They reiterated innocence and said they "will not be coerced even under pain of death to bear false witness"

3. On instructions of Department, USA, SDNY, has forwarded to Clerk of Supreme Court copies of motion papers for writ of mandamus which was denied 6-2-53 by USCCA and motion papers filed U. S. District Court to reduce sentence which was denied by Judge Kaufman 6-1-53, in event Supreme Court Justice Jackson should desire to review them in connection with any application for stay that may be made by Bloch.

4. B&O Railroad reports Rosenberg National Committee has made tentative arrangements to charter special train for 800 to 1,000 people to come from New York City to Washington 6-14-53.

3042 PWT-JAN2 General
DATE 7-24-86 Let to Atty 6/4/53
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See page 2
JUN 10 1953
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5 me

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MEMORANDUM FOR THE DIRECTOR

At 10:15 am, June 4, 1953, Supervisor Tom McAndrews, of New York, called to furnish additional information. Tessie Greenglass, the mother of David, advised that Attorney Bloch yesterday approached Bernard Greenglass and asked him to furnish Bloch another affidavit which would say that the FBI and/or the Government knew all the time that David Greenglass had stolen uranium from Los Alamos. Bernard refused to give the affidavit.

Of course, as we previously reported, in 1950 we questioned David Greenglass concerning theft of uranium and he denied it. We did not learn that he had stolen the uranium until just recently when we received information that Bloch was raising the question on this and we interviewed David Greenglass in prison and he admitted taking a piece of uranium as a souvenir and later throwing it in the East River.

AHB:tlc

Advise a g of this. *Per*
h.

The Attorney General

June 4, 1953

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Director, FBI

65-58236-1692

JULIUS ROSENBERG, ET AL
ESPIONAGE - R
(FBI File 65-58286)

Mrs. Tessie Greenglass, mother of David Greenglass, advised that Emanuel Bloch had approached Bernard Greenglass on June 3, 1953, and asked Bernard to furnish another affidavit to him which would state that the FBI and/or the Government knew all the time that David Greenglass had stolen uranium from Los Alamos. According to Mrs. Greenglass, Bernard refused to give this affidavit.

It will be recalled that in connection with the above, you were previously advised that in January, 1950, we questioned David Greenglass concerning the theft of uranium, and he denied it. This interview was conducted prior to our knowledge of his involvement in Soviet espionage. We did not learn that he had stolen the uranium until March, 1953, when we received information that Bloch was attempting to secure an affidavit from Bernard Greenglass concerning his knowledge of such theft by David Greenglass. Thereafter, we reinterviewed David Greenglass on March 25, 1953, and he admitted taking a piece of uranium as a souvenir and later throwing it into the East River in New York City.

On June 3, 1953, Warden George Humphreys of the U. S. Penitentiary, Lewisburg, Pennsylvania, advised he had received a call from the U. S. Marshal, Southern District of New York, reporting that two men were coming to the penitentiary to remove David Greenglass on a writ to the Southern District of New York on the morning of June 4, 1953. Mr. Humphreys subsequently received a second call from the Marshal instructing him not to turn Greenglass over to the two men but to advise the two men to call the Marshal's office in New York at 10:00 a.m., June 4, 1953, for further instructions.

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~~SECURITY INFORMATION - CONFIDENTIAL~~

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56 JUN 15 1953

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At 12:30 p.m. on this date Bloch filed before the U. S. Court of Appeals, Second Circuit, two orders to show cause requesting the following: One, an order to show cause requesting a stay of execution pending his appeal to the Court of Appeals from the decision of Judge Kaufman on June 1, 1953, refusing to reduce the sentences of the Rosenbergs. Two, an order to show cause requesting a stay of execution in order to afford him an opportunity to apply to the United States Supreme Court for certiorari to review the Court of Appeals denial to Bloch of a writ of mandamus on June 2, 1953. The Circuit Court advised Bloch that it would hear Bloch's motion on June 5, 1953. Bloch also announced to the Circuit Court his intention to submit another order to show cause under Section 2255, Title 28, U. S. Code, alleging newly discovered evidence and requesting a new trial. He was instructed by the Circuit Court to file this motion in the U. S. District Court and to make it returnable on June 8, 1953.

You will be kept advised of any additional developments in this matter.

cc - 1 - Assistant Attorney General
Warren Olney III

cc - 1 - Deputy Attorney General
William P. Rogers

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: June 3, 1953

FROM : MR. W. A. BRANIGAN

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R
(BuFile 65-58236)

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Warden Denno of Sing Sing Prison has advised our New York Office that when U. S. Marshal Carroll advised Julius Rosenberg that the date of execution was to be June 18, 1953, Rosenberg remarked that June 18 was his fourteenth wedding anniversary.

A review of background information reported in early sections of the Rosenberg case file has been made and reflects that a G-2 report dated February 8, 1945, at New York City, states that Rosenberg was married on June 18, 1939, at 258 East Fourth Street, New York, New York. (Reference 65-58236-X-6). Case file also reflects that during that interview of Julius Rosenberg on June 16, 1950, by New York agents (which was a month prior to his arrest), Rosenberg stated he was married June 18, 1939.

ACTION

None. For your information.

ADDENDUM: New York Office telephonically advised on this date that Special Agent John A. Harrington checked the records of the Manhattan Marriage License Bureau, New York City, which reflected that Julius Rosenberg and Ethel Greenglass were married by a Rabbi on June 18, 1939.

Send memo to A. G.
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June 4, 1953

Director, FBI

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65-58236-1693

JULIUS ROSENBERG, et al.
ESPIONAGE - R

7CD

[REDACTED] has confidentially advised that the Rosenbergs were visited by their attorney, Emanuel Bloch, on June 3, 1953. During this visit they discussed their next legal steps. It was mentioned that John Finerty, an attorney who reportedly handled the Sacco-Vanzetti case, was going to write individual letters to the members of the United States Supreme Court condemning each of them for their refusal to grant certiorari and vacating the stay of execution. Finerty is going to tell the judges that if they feel his action constitutes contempt of court they should go ahead and hold him in contempt. Bloch advised the Rosenbergs that he will appeal to Justice Black or Justice Douglas for a stay of execution if their next appeal in New York is turned down. Bloch further advised the Rosenbergs that Bernard Greenglass had signed a statement for him on May 31, 1953, stating that David Greenglass had told him he had stolen some uranium from Los Alamos and later had thrown it into the East River, New York City. Bloch also mentioned that he will make another appeal for clemency to President Eisenhower.

7CD

[REDACTED] further advised that Bloch and the Rosenbergs discussed the visit of James V. Bennett, Director of the Bureau of Prisons, on June 2, 1953. Julius Rosenberg stated that Bennett told him if the Rosenbergs wished to cooperate with the Government Bennett would send the proper officials of the Government to see them; however, they told Bennett they were innocent and could confess nothing. Bloch and the Rosenbergs also discussed a book which they are bringing out next week consisting of letters exchanged between Ethel and Julius Rosenberg in prison, which will be the source of a foundation fund for the Rosenberg children to be handled by Bloch. It was mentioned that representatives of various book companies in Europe, France, Italy and South America had been contacted and arrangements were being made to have the book distributed in those countries. Bloch told the Rosenbergs that their case would be taken up at the meeting of the Big Three in Bermuda and that their case would have a major part in determining the outcome of the elections coming in Italy.

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DATE 7-24-84 BY 3042 PWT/JAR

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JUN 4 1953
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FBI

SECRET
The Attorney General

June 4, 1953

They also discussed the possibility of securing a statement from David Greenglass to the effect that Irving Saypol, Government prosecutor in the Rosenberg case, told Greenglass that if he would testify the Rosenbergs would not receive the death penalty.

Concerning the visit of Mr. Bennett to Sing Sing Prison mentioned above, Mr. Denno confidentially advised that Mr. Bennett told him he was going to speak with the Rosenbergs and suggest to them that if they wanted to cooperate with the Government they could do so through him. Mr. Denno told Mr. Bennett that he did not think this was a wise course of action while proceedings were still pending in court. He also told Mr. Bennett that the Rosenbergs would advise Mr. Bloch by telegram anything that Mr. Bennett had to say to them. Mr. Bennett answered he did not believe that the Rosenbergs would disclose any of his conversation with them. Mr. Denno related that as soon as Mr. Bennett left Sing Sing Prison Julius Rosenberg sent a telegram to Bloch concerning Bennett's visit. Mr. Denno further stated that Bennett asked him the reason for the fixing of the date of execution on June 10, 1953, and he advised Bennett that this procedure had been determined in past conferences had with Bennett and United States Marshal Carroll. Bennett wanted to know why the date could not have been set for June 16, 1953, and then postponed until June 18, 1953. Mr. Denno advised him that it was not his practice to do that since one date would be fixed and no postponement would be had except on the authority of a judge or the President.

Garden Denno further advised that when United States Marshal Carroll told Julius Rosenberg that the date of execution was to be June 18, 1953, Rosenberg remarked that June 18 was his fourteenth wedding anniversary.

The records of the Marriage License Bureau, Borough of Manhattan, City of New York, reflect that the Rosenbergs were married by a rabbi on June 18, 1939.

You will be kept advised of any additional developments in this matter.

65-58286

cc - 1 - Assistant Attorney General
 Lauren Cline III

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 8 1953

TELETYPE

Mr. Tolson	
Mr. Ladd	
Mr. Nichols	
Mr. Belmont	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Gearty	
Mr. Mohr	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Mr. Sizoo	
Miss Gandy	

WASH FROM NEW YORK 2

3 11 A

DIRECTOR URGENT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-24-84 BY 3042 PWT-JAR

JULIUS ROSENBERG, ET AL, ESPIONAGE R. REFERENCE IS MADE TO ARTICLE ON
PAGE TWENTYEIGHT OF THE QUOTE NEW YORK TIMES UNQUOTE FOR JUNE THIRD INST.
THIS ARTICLE REPORTS THE CONTENTS OF A TELEGRAM SENT BY JULIUS ROSENBERG
TO HIS ATTORNEY, EMANUEL BLOCH, CONCERNING A VISIT TO HIM BY JAMES V.
BENNETT, DIRECTOR OF PRISONS. WARDEN DENNO CONFIDENTIALLY ADVISED TODAY
THAT WHEN MR. BENNETT VISITED THE PRISON ON THE SECOND, LAST, HE AD-
VISED MR. DENNO THAT HE WAS GOING TO SPEAK WITH JULIUS & ETHEL ROSENBERG
AND SUGGEST TO THEM THAT IF THEY WANTED TO COOPERATE WITH THE GOVERN-
MENT THEY COULD DO SO THROUGH HIM. MR. DENNO ADVISED MR. BENNETT THAT HE
DID NOT THINK THAT THIS WAS A WISE COURSE OF ACTION WHILE ANY PROCEEDINGS
WERE PENDING IN COURT. HE FURTHER STATED THAT THE ROSENBERGS WERE HAVING
ONE OF THEIR WEEKLY VISITS WITH EACH OTHER AND ANYTHING THAT MR. BENNETT
HAD TO SAY TO THEM WOULD BE SENT TO MR. BLOCH IN A TELEGRAM. MR. BENNETT
STATED THAT HE DID NOT BELIEVE THAT THE ROSENBERGS WOULD DISCLOSE ANY OF
HIS CONVERSATION WITH THEM. WARDEN DENNO ADVISED THAT AS SOON AS

RECORDED - 93

65-58236-1094

5 JUN 15 1953

24

W. J. S. Any cc [unclear]

5- [unclear]

WA2, PAGE TWO

MR. BENNETT HAD LEFT THE DEATH HOUSE, JULIUS ROSENBERG SENT THE TELEGRAM WHICH IS SET FORTH IN THE QUOTE NEW YORK TIMES UNQUOTE. DENNO FURTHER STATED THAT BENNETT ASKED HIM ABOUT THE FIXING OF THE DATE OF EXECUTION FOR THURSDAY, JUNE EIGHTEEN NEXT. DENNO ADVISED BENNETT THAT THIS PROCEDURE HAD BEEN DETERMINED IN PAST CONFERENCES HAD BETWEEN BENNETT, U.S. MARSHAL CARROLL & DENNO. BENNETT WANTED TO KNOW WHY THE DATE COULD NOT HAVE BEEN SET FOR TUESDAY, JUNE SIXTEEN NEXT AND THEN POSTPONED UNTIL JUNE EIGHTEEN NEXT. DENNO ADVISED THAT THAT WAS NOT HIS PRACTICE AND THAT ONE DATE WOULD BE FIXED AND NO POSTPONEMENT WOULD BE HAD EXCEPT ON THE AUTHORITY OF A JUDGE OR THE PRESIDENT. DENNO FURTHER ADVISED THAT WHEN JULIUS WAS ADVISED OF THE DATE OF EXECUTION BY THE MARSHAL, JULIUS REMARKED THAT JUNE EIGHTEEN WAS HIS FOURTEENTH WEDDING ANNIVERSARY. WARDEN DENNO FURTHER STATED THAT ED CAVANAUGH OF THE ASSOCIATED PRESS AND ANOTHER REPORTER WERE COMING TO SING SING WITH EMANUEL BLOCH THIS AM AND THAT THEY WERE GOING TO RETURN TO NY WITH BLOCH AFTER BLOCH-S VISIT WITH THE ROSENBERGS. BUREAU WILL BE ADVISED PROMPTLY OF FURTHER CONVERSATIONS WITH DENNO.

BOARDMAN

END

NY R 2 WA NB

CC: MR. BELMONT
AND SUPERVISOR
DOM. INTEL. DIVISION

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. J. H. BELMONT

DATE: June 9, 1953

FROM : MR. C. E. HENRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Tolson ✓
Ladd ✓
Nichols ✓
Belmont ✓
Clegg ✓
Glavin ✓
Harbo ✓
Rosen ✓
Tracy ✓
Laughlin ✓
Mohr ✓
Winterrowd ✓
Tele. Rm. ✓
Holloman ✓
Gandy ✓

Supervisor Dudley Payne, WFO, called at 11:05 a.m., June 9, and advised that information has just been received from the Clerk of the Supreme Court that defense attorney Bloch has filed motions with the Supreme Court this morning (June 9). An Agent is obtaining details concerning this and will bring the material directly to the Bureau.

ACTION:

For your information.

ll
CEH:LL

7-24-86

3042 PWT-JAR

cc-MR. NICHOLS

78 JUN 15 1953

RECORDED - 5

65-58234-1695

JUN 15 1953

ESP

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: June 8, 1953

FROM : MR. C. E. HENRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Tolson	_____
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Belmont	_____
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Sizoo	_____
Miss Gandy	_____

Supervisor Tom McAndrews called from New York on June 8 relative to the console table which is an issue in connection with the petition for a new trial. McAndrews stated that AUSA Kilsheimer had called Emanuel Bloch, defense attorney, on the morning of June 8 and had asked specifically concerning the manner in which certain markings were made on the table, it being noted that these markings show up in photographs which have been made available to the Government. After consulting with the person who has the table in his possession and who is examining it, Bloch advised Kilsheimer that the markings were made with white chalk. The NYO has obtained today (6/8) an affidavit from Mr. Fontana, of Macy's Department Store, and another from Francis Fitzgerald, Manager of Macy's warehouse, to the effect that Macy's has never used chalk in marking their tables, but, rather, use an orange grease crayon. The photographs also show what appears to be the price of the table - \$19.97. Fitzgerald has stated that Macy's would never mark a table in this manner. He said that when the price is indicated, in this case instead of \$19.97, it would be 192972, the numeral "2" representing decimal points.

ACTION:

For your information.

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DATE 7-25-86 BY SP-5 JAR
3042 PWT
RECORDED - 57

JUN 10 1953

-1696

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: June 4, 1953

FROM : MR. C. E. HENRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Tolson _____
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Miss Gandy _____

G.I.R.-6

Supervisor Tom McAndrews called from the NYO at 11:30 a.m., June 4. He stated that Emanuel Bloch, attorney for the Rosenbergs, will meet with AUSA Kilsheimer in court at 12:30 p.m. today. Bloch has two orders to show cause which he will present to the Circuit Court of Appeals in connection with motions for a stay of execution pending; one, Bloch's appeal to the Circuit Court of Appeals from Judge Kaufman's denial of Bloch's motion to reduce sentence to 20 years, and, two, Bloch's filing an application to the Supreme Court for a certiorari from the Circuit Court of Appeals' denial of Bloch's motion for mandamus.

Bloch has advised AUSA Kilsheimer that on the late afternoon of June 5, he, Bloch, will serve an order to show cause, returnable June 8, 1953, under Section 2255, alleging newly-discovered evidence and requesting a new trial.

ACTION:

A memorandum is being prepared for the Attorney General, advising him of the above.

CEH:LL

cc-MR. NICHOLS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR
RECORDED - 1

58236-1697

ESP SEP

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: June 5, 1953

FROM : MR. C. E. HENNRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Tolson	_____
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Supervisor T. Scott Miller called from New York at 4:55 p.m., June 5. He advised that the Circuit Court of Appeals has considered the appeal which came up this morning (6/5) wherein the defense appealed the decision of Judge Kaufman denying the defense motion to vacate the death sentence and reduce the sentence to 20 years. The Circuit Court of Appeals has affirmed the action of Judge Kaufman. This completes action on all matters now pending before the Circuit Court.

ACTION:

For your information.

CEH:LL

cc-Mr. NICHOLS

JUN 17 1953

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JUN 10 1953

1698

The Attorney General

June 9, 1953

Director, FBI

JULIUS ROSENBERG, et al.
ESPIONAGE - R

As you are aware, on June 8, 1953, the Rosenbergs' motion for a new trial under Rule 33 of the Federal Rules of Criminal Procedure and for vacating and setting aside the sentences of death under Section 2255, Title 28, United States Code, was argued before Judge Irving Kaufman. The Rosenbergs asked for relief on two general grounds: (1) Newly discovered evidence; (2) The prosecuting authorities used knowingly perjured testimony to convict the Rosenbergs.

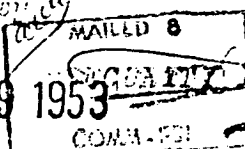
Emanuel Bloch, attorney for the Rosenbergs, specifically argued that the testimony of David and Ruth Greenglass concerning the console table was false. It will be recalled that both Greenglasses testified that Rosenberg told them he had received a console table as a gift from the Russians, which he had adapted for use in photographing materials. The Rosenbergs testified that they had bought the table at R. H. Macy and Company. Bloch pointed out that the table had been located and requested a hearing at which witnesses would be produced and questioned about the table. He also requested that Ruth and David Greenglass be brought to the hearing so that they could be cross-examined. The United States Attorney, Edward J. Lumbard, argued that if the table had any probative value the defendants could have and should have produced it, since it was in the possession of the Rosenberg family since August, 1950.

Bloch also argued that the affidavit of Bernard Greenglass concerning his knowledge that David Greenglass had stolen uranium was evidence that a crass deal had been made between the Government and the Greenglasses for their testimony; further, that it was proof David Greenglass was involved in independent espionage.

Judge Kaufman reminded Bloch that in connection with his allegations concerning a deal, that the Government had recommended a fifteen-year sentence for David and that was the sentence meted out; further, O. John Rogge, attorney for David Greenglass, had complained that this sentence was too severe. Judge Kaufman pointed out to Bloch that if there had been a deal, why did not Rogge stand up and say there had been a deal.

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DATE 7-25-86 BY 3042 PWT-JAN

June 9, 1953

Bloch also cited to the Court certain statements that the Greenglasses had made to their attorneys. He pointed out that these statements were inconsistent with their testimony at the trial and specifically pointed out that in the statement of David Greenglass he referred to a cut cardboard and did not mention the Jello box or Julius Rosenberg. The United States Attorney then referred to the theft of these statements of the Greenglasses from the office of their attorney, Regge. Bloch asked the United States Attorney if he was charging him with larceny and Lumbard replied that he was not, but that somebody had committed larceny. Judge Kaufman remarked to the United States Attorney that he hoped he would look into the situation. Bloch stated he wanted to make it clear to the world that he had used the statements only after the Bar Association and the New York City Committee on Professional Ethics had stated it was permissible.

After a fifteen-minute recess, Judge Kaufman gave an oral opinion denying the Rosenbergs' motions in all respects. He stated that in connection with the allegations under Section 2255, the papers and arguments considered in conjunction with the record showed that the Rosenbergs were entitled to no relief; that not one Government witness had recanted; and that no material issue of fact was raised requiring the taking of testimony at a hearing. He noted that the affidavits concerning the console table with the exception of an affidavit from Mr. Joseph Fontana, furniture buyer of Macy's, were from relatives; further, that at the trial Mrs. Evelyn Cox, former domestic employed by the Rosenbergs, had testified that Ethel Rosenberg advised her it was a belated wedding gift from a friend. Judge Kaufman also noted that Julius Rosenberg had denied it was a gift in his testimony. He stated that assuming the table was purchased from Macy's, it did not resolve the conflict; that the identity of the vendor was not important; that the use of the table was important. He also pointed out no receipts were produced at the trial or at this hearing and that the existence of a table sold by Macy's did not establish that perjury was committed; further, it was incongruous to say that the Government should have produced the table when it was shown by the defendants on affidavits that it was in the possession of the Rosenberg family. He also pointed out that Leon Summit, of the "National Guardian" weekly newspaper, had no trouble in finding the table. He noted that the information concerning the table from the Greenglasses came in response to questions concerning gifts to Julius Rosenberg from the Russians and the testimony concerning the table played on

June 9, 1953

infinitesimal part of the time of the trial. He also stated that the facts concerning the table had been testified to by David and Ruth Greenglass in early March, 1951, and again by Julius and Ethel Rosenberg; that since the Rosenberg family was available now, that they certainly were available to testify at the trial that they had seen the table in the Rosenberg home. He stated there was no basis for the charge of perjured testimony.

Concerning the theft of uranium by David Greenglass, Judge Kaufman questioned why Greenglass would throw the uranium in the river and asked how this theft tended to implicate innocent members of the family. He stated it was fair to characterize the conclusion of the defendants as unsupported and incredible.

Concerning the statements of the Greenglasses made to their attorneys and the fact that the defendants sought to attack the credibility of the Greenglasses by these statements, Judge Kaufman stated that it was clear the statements referred to general information supplied by David Greenglass to his lawyer concerning statements he had furnished to the FBI. Judge Kaufman pointed out that on cross-examination David had testified he had given six or seven statements and had not remembered all of the details of his actions in his first interview. The Judge also pointed out that David's testimony had been corroborated by his wife, Harry Gold and others. Judge Kaufman denied the motions of the defendants under Section 2235, stating that he did not accept the charges that perjured testimony was knowingly used by the Government.

In connection with the Rosenberg motion for a new trial on the grounds of newly discovered evidence, Judge Kaufman listed five points that have to be shown as set forth in the "On Lee case;" namely, that the evidence is (1) newly discovered (2) diligence of defendants (3) evidence not cumulative or impeaching (4) evidence is material (5) evidence is of such a nature that on a new trial the newly discovered evidence would probably produce an acquittal. He noted that not one Government witness had recanted. He stated that the guilt of the defendants was established overwhelmingly and that the present alleged evidence would not in any way diminish the strength of the Government's case. Judge Kaufman denied the motion for new trial, as well as a stay of execution requested by the defendants. He also denied the concurrent motion of Morton Sobell.

The Attorney General

June 9, 1958

The foregoing is for your information.

65-58236

cc - 1 - Assistant Attorney General
Warren Olney III

- 4 -

~~SECURITY INFORMATION - CONFIDENTIAL~~

Office Memorandum

UNITED STATES GOVERNMENT

J. Edgar Hoover
TO : DIRECTOR, FBI

DATE: June 8, 1953

FROM : SAC, BALTIMORE (65-1763)

SUBJECT: JULIUS ROSENBERG, ETAL
ESPIONAGE - R

G.I.R.-6

K 71

B

Re telephonic request from SA THOMAS McANDREW of the New York Office to SAC ALDEN of the Baltimore Office requesting an affidavit from Mr. HERMAN B. HOOPS, President and General Manager, Brandt Cabinet Works, Inc., Hagerstown, Md.

There is enclosed herewith to the New York Office an affidavit furnished by Mr. HOCPS.

JFF:afw

cc: New York (ENCL - 2) (REGISTERED MAIL - SPECIAL DELIVERY)

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JUN 9 1953

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HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

JUN 10 1953

Am

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: June 5, 1953

FROM : MR. C. E. HENNRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

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G.I.R.-6

Supervisor T. Scott Miller, NYO, called at 12:35 p.m. today (June 5) and furnished the following information concerning matters which came up in the Circuit Court of Appeals this morning:

1. In connection with the motion for a stay of execution to permit defense attorney Bloch to apply to the Supreme Court for a certiorari on the denial of the Circuit Court of Appeals of a writ of mandamus directed to Judge Kaufman to reduce the sentence to 20 years, the Circuit Court denied this motion. Judge Swan instructed Bloch that this motion should properly be filed before the Supreme Court.
2. In connection with the appeal to the Circuit Court from Judge Kaufman's decision of June 1, 1953, which denied Bloch's motion under Section 2255, Title 28, to vacate the death sentence and to impose a sentence of no more than 20 years, the Circuit Court reserved decision.

Defense attorney Bloch has advised AUSA Kilsheimer that the motion which he plans to file under Section 2255, Title 28, asking for a new trial and alleging new evidence, will not be completed until midnight, June 5, at which time he will furnish copies to AUSA Kilsheimer.

ACTION:

For your information.

CEH:LL

cc-MR. NICHOLS

3042 PWT-JAR
JUN 7 1953

65-5823-1701

JUN 10 1953

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XXXXXXFEDERAL BUREAU OF INVESTIGATION
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

☒ Deleted under exemption(s) b1 with no segregable material available for release to you.

☐ Information pertained only to a third party with no reference to you or the subject of your request.

☐ Information pertained only to a third party. Your name is listed in the title only.

☐ Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

 Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

 Page(s) withheld for the following reason(s):

☐ For your information: _____

☒ The following number is to be used for reference regarding these pages:

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June 1, 1953

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Exempt from GDS, Category 273
Date of Declassification Indefinite

~~SECURITY INFORMATION - CONFIDENTIAL~~

75 JUN 26 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Director

DATE: June 3, 1953

FROM : D. M. Ladd

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

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The following are the most recent developments:

(1) On 6/2/53, Emanuel Bloch, Rosenbergs' Attorney, filed a notice of appeal in USCCA from Judge Kaufman's decision of 6/1/53, denying Bloch's motion to correct death sentences based on allegation that the indictment had charged a violation of the espionage statutes punishable by not more than twenty years.

(2) The USA SDNY has applied for writ of habeas corpus calling for appearance in New York City of David Greenglass for purpose of consulting with Greenglass concerning statements he gave to O. John Rogge, his attorney, shortly after his arrest in June, 1950. USA SDNY is preparing to combat claim of Bloch that Greenglass' statement contradicted story he furnished the FBI and his testimony at the trial. Writ is returnable Friday, June 5, 1953.

(3) U. S. Marshal Carroll, SDNY, has advised date of sentence set for June 18, 1953.

(4) Dr. George Bernhardt, Rosenbergs' family physician who testified at trial as Government witness that in May or June, 1950, Rosenberg asked him about type of injections needed by a friend to go to Mexico, has reported the following: In January, 1953, he was contacted by an elderly man who asked him to write to the President requesting clemency for the Rosenbergs; two weeks ago two men with brief cases came to his office to see him and that after a two hour wait left. He did not know significance of this visit, because he did not see them.

(5) Washington City News Service of 6/2/53, reported that James V. Bennett, Director of Prisons, visited Rosenberg at Sing Sing. Later Bloch claimed to have received telegram from Rosenberg stating Bennett told him that if they wished to cooperate they could do so through him and he would put them in touch with proper officials. Bloch called Bennett's action "coercive pressure" stating Bennett made visit at the direction of the Attorney General. The Justice Department spokesman denied this stating Bennett's visit was "routine." Sing Sing Prison Warden, Denno, said Bennett did not try to persuade Rosenbergs to talk but told them that if they wanted to contact Federal authorities at any time Denno would assist them.

APL:dmd
65-58236

ES/SEC

1703

AIR-TEL

FBI WASH FIELD (65-5521)

5-26-53

3:30 PM

DIRECTOR (65-58236) AND SAC NEW YORK (65-15348) -- RM

JULIUS ROSENBERG, ETAL., ESP R. RENYTEL TO BUREAU AND WFO MAY TWENTY SIX INSTANT. EMANUEL BLOCK APPLIED TO U. S. SUPREME COURT MAY TWENTY SIX INSTANT IN BEHALF OF JULIUS AND ETHEL ROSENBERG FOR AN ORDER (1) STAYING THE ISSUANCE OF THE ORDER OF THE SUPREME COURT, DATED MAY TWENTY FIVE LAST DENYING THE PETITION FOR A WRIT OF CERTIORARI (2) STAYING THE ORDER OF THE SUPREME COURT VACATING THE STAY OF EXECUTION OF THE ROSENBERGS GRANTED BY THE CIRCUIT COURT OF APPEALS FOR THE SECOND CIRCUIT, UNTIL AND INCLUDING THE NINTH DAY OF JUNE NEXT, THE TIME LIMITED FOR THE FILING OF A PETITION FOR THE REHEARING OF THE ORDER OF THE COURT OF MAY TWENTY LAST, AND, UPON THE FILING OF SUCH A PETITION, UNTIL THIS NEW PETITION IS ACTED ON BY THE SUPREME COURT.

THE APPLICATION FOR THE STAY REFLECTED THAT THE GROUNDS FOR REHEARING OF THE WRIT OF CERTIORARI, JUST ACTED UPON BY THE SUPREME COURT, WOULD BE BASED ON THE FOLLOWING GROUNDS: (1) A SERIOUS QUESTION AFFECTING THE FAIR ADMINISTRATION OF FEDERAL JUSTICE HAS COME TO LIGHT BY REASON OF CIRCUMSTANCES OCCURRING SINCE THE FILING OF THE PETITION FOR WRIT OF CERTIORARI. THE INTERVENING CIRCUMSTANCE WAS REVEALED BY THE TESTIMONY ELICITED IN THE TRIAL OF U. S. VS. PERL, U. S. DISTRICT COURT, SDNY, MAY EIGHTEEN - TWENTY TWO LAST. (2) THE COURTS BELOW MISCONCEIVED AND MISCONSTRUED THE FACTS (AND THEIR IMPORT) ALLEGED BY THE PETITIONER

COPIES DESTROYED

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AIR-TEL

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DATE 7-24-86 BY 3042 PWT-JLR

53 JUN 10 1953

Mr. Tolson	
Mr. Ladd	
Mr. Nichols	
Mr. Belmont	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
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Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Tele. Room	
Mr. Holloman	
Miss Gandy	

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65-58236-1708
JUN 10 1953
CO: MR. BELMONT
JUN 10 1953
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JUN 10 1953

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IN PARAGRAPHS TWENTY ONE AND TWENTY TWO OF THEIR APPLICATION UNDER 28 USC S2255 AS A CONSEQUENCE THE DECISIONS OF THE LOWER COURTS ARE, IN EFFECT, AN INTERPRETATION OF RULE 52 OF THE RULES OF FEDERAL CRIMINAL PROCEDURE WHICH ARE PROBABLY IN CONFLICT WITH THE DECISIONS OF THE SUPREME COURT. (3) AT LEAST ONE OF THE JUDGES OF SUPREME COURT, JUDGE FRANKFURTER, IN REITERATING THE EXPRESSION OF HIS OPINION ON THE PETITION OF CERTIORARI SEEMINGLY RELIED ON THE FACT THAT THE COURT OF APPEALS EXPRESSLY STATED THAT IT HAD SCRUTINIZED THE RECORDS WITH EXTRAORDINARY CARE. THIS ASSUMPTION FAILED TO TAKE COGNIZANCE OF THE FACT THAT ONE OF THE PRINCIPAL POINTS OF THE PETITION JUST DENIED IS THAT THE COURT BELOW NEITHER ACKNOWLEDGED, RECOGNIZED, NOR TREATED WITH THE PETITIONERS' MAJOR ALLEGATION OF PERJURY BY DAVID GREENGLASS WITH RESPECT TO HIS INCAPACITY TO HAVE PRODUCED IN FORTY FIVE OR REPRODUCED IN FIFTY ONE CROSS SECTION OF THE NAGASAKI ATOM BOMB AND A TWELVE PAGE EXPLANATORY REPORT. (4) THE SENTENCES OF DEATH IMPOSED ON JULIUS AND ETHEL ROSENBERG ARE ILLEGAL FOR THE REASON THAT THE SENTENCES WERE IN EXCESS OF MAXIMUM ALLOWED BY LAW IN THAT 50 USC SS 32 (a) and 34 PROVIDING MAXIMUM IMPRISONMENT OF TWENTY YEARS FOR OFFENSES OF WHICH ROSENBERGS WERE CONVICTED. THIS STAY WAS DENIED TODAY.

HOOD *PPH*

SAC, New York (65-15348)

June 2, 1953

Director, FBI (65-58236)

JULIUS ROSENBERG, ET AL
ESPIONAGE - R

A reliable informant of the New Haven Office has recently reported receipt of the following information from one [REDACTED] known to informant as an active Communist Party sympathizer. [REDACTED] stated that David Greenglass is presently claiming that he has been beaten up severely and has received head injuries in the prison where he is incarcerated because of attempts on his part to make a statement which will clear Ethel Rosenberg, his sister. According to [REDACTED] Greenglass has tried to give this information to Emanuel Bloch but has not been allowed to see Bloch. DD

The informant was unable to advise where Weinberg obtained this information so as to properly evaluate its validity.

Philadelphia Office is requested to check with its sources at Lewisburg Penitentiary to determine if there is any substance to the above allegations.

New York Office is requested to advise if any information has come to its attention concerning this matter.

cc - 2 - Philadelphia

NOTE: Greenglass, convicted espionage agent, presently serving fifteen years in Lewisburg, testified for the Government against his sister, Ethel, and her husband, Julius Rosenberg. He has continued to cooperate with the Bureau up to the present time. We have no information indicating that he is attempting to clear Ethel. It is not believed that the above information has any foundation, in fact; however, it should be checked out. W

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65-58236-1705

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COMM - FBI

JUN 2 1953
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HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

78 JUN 17 1953

Mr. Belmont

The Attorney General

June 10, 1953

Director, FBI

JULIUS ROSENBERG, et al.
ESPIONAGE - R

Reference is made to my memorandum of June 9, 1953, advising that Judge Irving Kaufman had denied the Rosenbergs' motion for new trial under Rule 33 of the Federal Rules of Criminal Procedure and for vacating and setting aside the sentences of death under Section 2255, Title 28, United States Code, on June 8, 1953. Judge Kaufman also denied the Rosenbergs' motion for a stay of execution. The Rosenbergs appealed to the United States Court of Appeals, Second Circuit, on June 9, 1953, and the Court reserved decision.

There are being set forth for your information the various points which were raised by the defendants on this motion and appeal, the facts concerning these points as reflected by our files, and the arguments presented by the United States Attorney, Edward J. Lumbard, in opposing the defendants' contentions.

THE CONSOLE TABLE STORY

Ismanuel Bloch, attorney for the Rosenbergs, alleged that a console table belonging to the Rosenbergs played a prominent part in the case and that the evidence concerning this table which was introduced through the testimony of David and Ruth Greenglass and Mrs. Evelyn Cox, Negro domestic formerly employed by the Rosenbergs, was designed to show that the Rosenbergs were in a criminal confederacy with agents of the Soviet Union. In his papers, Bloch quoted from the testimony of the Greenglasses, in which they stated that Julius Rosenberg told them he had received as a gift from the Russians a console table which he hollowed out underneath for use in photographing materials. Bloch also quoted from the testimony of the Rosenbergs in which they denied the allegations of the Greenglasses but admitted they had a console table which they purchased from R. H. Macy and Company in 1944 or 1945 for approximately \$21.00. Bloch further mentioned that the Government called as a rebuttal witness Mrs. Evelyn Cox and claimed that her testimony was barren of any statement that the console table was a special kind of table.

ALL INFORMATION CONTAINED
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The Attorney General

June 10, 1955

Bloch pointed out that the console table was neither introduced in evidence by the Government at the trial nor did the Government produce any evidence to show the console table was unavailable. He claimed that the table was in the Rosenberg home at the time of their respective arrests in July and August, 1950, and until October, 1950, when their furnishings were disposed of; further, it was only recently determined that the console table was in the home of Mrs. Sophie Rosenberg, mother of Julius Rosenberg. Affidavits of Mrs. Sophie Rosenberg and other relatives were submitted in support of this contention. Bloch stated that at the time of the respective arrests of the Rosenbergs in July and August, 1950, FBI agents made a thorough search of their home and took articles allegedly tending to incriminate the Rosenbergs, such as watches, snapshots, etc., but they did not take the table. Bloch contended that the fact the agents did not take the table indicated (1) The Greenglasses did not advise the Government concerning the console table until some very late date and therefore they deliberately lied on the witness stand when they had testified they had not initially withheld any information from the FBI; or (2) If the Greenglasses testified truthfully that they had initially made full disclosures, the FBI must have seen the table but decided after examining it that it did not correspond with the physical description ascribed to it by the Greenglasses; nonetheless, the Government sponsored this false testimony concerning the table.

Bloch attached to his moving papers photographs of the table which he claimed was in the Rosenberg apartment and offered proof that this table was sold by R. H. Macy and Company during the year 1944 or 1945, for \$13.97. Also attached was an affidavit of Joseph Fontana, a furniture buyer for Macy's, who stated that after examining photographs of the table and assuming the markings as shown on the table are genuine, this table was a type and style handled by Macy's and it was possible Macy's handled this table during the years 1944 and 1945. Bloch asserted that an examination of this table revealed that it was in no sense a "special kind of table"; nor was any part of it "hollowed out"; that this was proof the Greenglasses had lied.

The Attorney General

June 10, 1953

Bloch also submitted affidavits of Leon Sumnit, newspaperman employed by the "National Guardian," a weekly publication in New York City, and Reverend Harold S. Williamson, Negro clergyman, reporting that Sumnit and Williamson had visited Mrs. Evelyn Cox, Government rebuttal witness, on several occasions in March, 1953, for the purpose of exhibiting to her the console table in an effort to have her identify it as the table she testified to seeing in the Rosenberg apartment some time in 1945. According to these affidavits, Mrs. Cox allegedly stated that the table looked like the one in the Rosenberg apartment but she refused to sign an affidavit to that effect.

In connection with the above contentions of Bloch, it is pointed out first of all that Julius Rosenberg was arrested by our agents at his home, 10 Monroe Street, New York City, on July 17, 1950. At that time a search was made of the Rosenberg premises. Ethel Rosenberg was arrested by our agents on August 11, 1950, in front of the United States Courthouse, Foley Square, New York City. At the time of her arrest there was no search conducted of her home; further, no subsequent searches were conducted of the Rosenberg premises after the one made on July 17, 1950. Secondly, from information available in our files, it cannot be determined exactly when the information concerning the console table was furnished by the Greenglasses, although it appears that it was given shortly after the arrest of Julius Rosenberg. It will be recalled that numerous interviews were conducted with David Greenglass by our agents after his arrest. He did not furnish complete information during the initial interview, but as time went on he was able to enlarge on the information furnished and give more complete details. In connection with the search that was conducted at the Rosenberg apartment on July 17, 1950, two of our agents who participated in the search do not recall seeing any table in the apartment with the exception of a bridge table and a porcelain kitchen table.

Concerning the efforts of the Rosenbergs to have Mrs. Evelyn Cox submit an affidavit, Mrs. Cox advised our agents that in the Fall of 1952, a Negro representing himself as Reverend Harold Williamson, and another unidentified Negro, came to her house and talked to her for three or four hours about the Rosenberg case. Williamson stated he wanted to help the Rosenbergs. Mrs. Cox further advised that on March 30,

June 10, 1953

1953, Williamson again came to her house with an unidentified Negro and brought with him a console table which he stated belonged to the Rosenbergs. He asked her to identify it as the one she had seen in the Rosenberg home. She stated that this table resembled the one in the Rosenberg home but that this table was badly nicked and the finish was dull and dirty. She told Williamson she would not state it was the same table because it did not have the physical appearance as she last saw it.

Later on that same evening, an unidentified Negro and white man came to her house and asked her to identify the table as the Rosenberg table. She refused to do so. On April 1, 1953, the same white man returned with a notary public and asked her to sign an affidavit to the effect that the table which had been exhibited to her was or looked like the Rosenberg table. She again refused to do so. Mrs. Cor advised that she would never identify the table exhibited to her by these men as the Rosenberg table no matter what marks or letters were on it, because she never looked under the bottom of the table and knew of no marks that were on it.

For your information Reverend Harold S. Williamson mentioned above is a minister of the Inter-National Constitutional Church of Jersey City, New Jersey. He is known to have been active in the Citizens Emergency Defense Committee, which is dedicated to the defense of persons prosecuted under the Smith Act. He has also been very active in connection with the activities of the National Committee to Secure Justice in the Rosenberg Case and was one of the leaders of the White House "vigil" during February, 1953, to secure clemency for the Rosenbergs.

In a memorandum of law submitted by the Government in opposition to Bloch's motion the Government contended that Bloch's evidence was not credible inasmuch as: (1) It was given by people with a tremendous motive, namely, members of the Rosenberg family; (2) The evidence submitted did not establish that the testimony of the Greenglasses and Mrs. Cor was in any way false; (3) The evidence, if material, was hardly significant as the console table was just a small bit of the overwhelming proof of the espionage conspiracy; (4) Even if the evidence was available, the jury would not have reached a different result; (5) The evidence was not affirmative proof of the Rosenbergs' innocence and would probably not produce an acquittal; (6) The defendants did not exercise due diligence since the evidence could have been at the defendants' disposal at the time of the trial with a minimum of effort.

June 10, 1953

STATEMENT OF DAVID GREENGLASS TO HIS
ATTORNEYS SHORTLY AFTER HIS ARREST IN JUNE, 1950

Bloch submitted to the Court a copy of a statement Greenglass furnished to Herbert J. Fabricant, attorney and associate of O. John Rogge, shortly after his arrest which, according to Bloch, contradicted the testimony Greenglass gave at the trial and showed a wanton unconcern of the truth by Greenglass. Bloch pointed out that in this statement, Greenglass referred to a cut cardboard and did not mention the Jello bar or Julius Rosenberg's connection with it; that Greenglass did not implicate his sister, Ethel Rosenberg, in any way in this statement; that although Greenglass did not remember it, he allowed the FBI to put into his statement to them Gold came back later to pick up the material; that what he gave Gold might not be at all what he said in his statement to the FBI.

In connection with the above, a comparison of the statement Greenglass gave to Fabricant with the initial statement dated June 16, 1950, which he gave to our agents reflects no substantial contradictions.

In the statement to his attorney reported above Greenglass stated "I met Gold in New Mexico at 209 North High Street, my place. They told me that I told him to come back later because I didn't have it ready. I didn't remember this but I allowed it in the statement."

A perusal of the statement given by Greenglass to our agents reflects there is mention of Greenglass meeting Gold in New Mexico and furnishing Gold espionage information and there is no mention that Gold was asked to come back at a later time on the same day. In subsequent interviews with Greenglass, he recalled of his own knowledge additional details concerning his meeting with Gold and remembered that the first time Gold came to his home he did not have any material prepared to give Gold. He asked Gold to come back later that day so that he, Greenglass, would have an opportunity to prepare some material. When Gold came back he turned over this material to Gold. This information was furnished by Greenglass in a question and answer statement given by him on August 4, 1950, to Assistant United States Attorney Myles Lane. It is also noted that in a statement furnished by Ruth Greenglass to our agents on July 17, 1950, she recalled that Gold came back a second time to pick up the material from her husband and this information was incorporated in her statement.

June 10, 1950

Greenglass in his statement to Fabricant reported "I can honestly say the information I gave Gold may be (illegible word crossed out) not at all what I said in the statement." In connection with this, the statement given by Greenglass to our agents reflects that Greenglass was not positive of the exact information he gave Gold and gave his best recollection as to the general type of information he furnished during the initial interview. This is reflected from the following extracts from the statement given to our agents:

"I furnished him with information concerning the Los Alamos project..." "I think I gave Gold a sketch of a high-explosive lens mold, or something of that type of thing..."

In answer to the above the Government submitted an affidavit of Herbert J. Fabricant on this motion stating that this statement was given by Greenglass to him when he requested a summary of information Greenglass had furnished the FBI. Fabricant further stated that prior to this statement, Greenglass had been interviewed by him and had supplied a further summary of information he had given the FBI, which Fabricant incorporated in a memorandum he dictated dated June 15, 1950. Fabricant further stated that these statements as well as other papers had apparently been stolen from his file.

The Government pointed out in its memorandum of law that the affidavit of Fabricant showed Greenglass in fact furnished much more information than appearing in the statements referred to above.

**STATEMENT OF RUTH GREENGLASS TO R. H. GOLDMAN,
FORMER LAW ASSOCIATE OF G. JOHN ROGGE**

Bloch submitted to the Court a copy of an interoffice memorandum dated June 19, 1950, written by R. H. Goldman for Rogge's file, which reported an interview Goldman had with Ruth Greenglass three days after her husband was arrested. Bloch pointed out that in this document Ruth Greenglass characterized her husband as having a "tendency to hysteria" and a propensity for lying.

The Attorney General

June 10, 1953

Ruth Greenglass was interviewed by our agents on May 6, 1953, concerning the above statement. She advised that Goldman wanted to know some of her husband's background. She told Goldman of her courtship by David and her marriage. She recalled that David had either pneumonia or influenza when he was 15 or 16 years of age and that he was alone in an upstairs apartment. He had a very high temperature and while in a delirious state ran out of the apartment trying to get his pajamas off. She told Goldman that David referred to his pajamas as lead pants and that there were elephants around. She also advised that this incident was a family joke and was well known to Ethel and Julius Rosenberg; further, that this incident had been related on more than one occasion when members of the family were talking of actions of other members, particularly when they were sick.

The Government made the contention that irrespective of the above document, there was no showing that any of the testimony of David Greenglass was inaccurate.

THEFT OF URANIUM BY DAVID GREENGLASS

Bloch submitted to the Court an affidavit of Bernard Greenglass that he knew David Greenglass had stolen uranium while in the Army. Bloch contended that Greenglass concealed this information at the trial which revealed espionage activities on his part unconnected with the Rosenbergs and if known to the jury it might have caused the jury to believe the Rosenbergs rather than Greenglass.

In connection with the above it will be recalled that in January, 1950, we questioned David Greenglass concerning the theft of uranium and he denied it. This interview was conducted prior to our knowledge of his involvement in Soviet espionage. He did not learn that he had stolen the uranium until March, 1953, when we received information that Bloch was attempting to secure an affidavit from Bernard Greenglass. Thereafter, we interviewed David Greenglass on March 25, 1953, and he admitted taking a piece of uranium as a souvenir and later throwing it into the East River in New York City.

The Government in its memorandum of law pointed out since at best any question as to whether or not Greenglass had taken uranium from Los Alamos would be a collateral matter and since it was not raised at the trial, there was no basis for urging this to be newly discovered evidence material to any trial issue.

The Attorney General

June 10, 1950

DEFENDANT CLAIM GOVERNMENT MADE
A DEAL WITH THE GREENGLASS

Bloch made the contention that the Government promised the Greenglasses either immunity or leniency in exchange for their testimony and cited the memorandum dated August 23, 1950, from the files of O. John Rogge, which recorded a telephone call Goldman had with Assistant United States Attorney Hyles Lane concerning the question of proceeding against Greenglass in New Mexico or getting a superseding indictment in New York. Goldman also mentioned in this memorandum that there was no indication Ruth Greenglass would be indicted.

In its memorandum of law the Government pointed out that the question of a deal had been raised at the trial and the jury accepted as true Greenglass' denial of such a deal; that the memorandum cited by Bloch refuted his argument since as of August 23, 1950, the attorneys for Ruth Greenglass did not know whether the Grand Jury would indict her; that the only question which was under discussion by the Government attorneys and the Greenglass attorneys was whether a new indictment might be returned in the Southern District of New York superseding the New Mexico indictment; further, the New Mexico indictment of Greenglass was known to the Rosenberg defense during the trial; likewise, the Rosenberg attorney had the opportunity to examine both the Government and the Greenglass attorneys at the trial. The Government also referred to affidavits submitted by Rogge and Fabricant on this matter which established that no such deal was ever in fact made.

You will be kept advised of any additional developments in this matter.

65-55286

cc - 1 - Assistant Attorney General
Warren E. Hines in

- 6 -

~~CONFIDENTIAL~~ - CONFIDENTIAL

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: June 5, 1953

FROM : D. M. LADD

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R
(BuFile 65-58236)

Tolson
Ladd
Nichols
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Clegg
Glavin
Harbo
Rosen
Tracy
Gearty
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Winterrowd
Tele. Room
Holloman
 Sizoo
Miss Gandy

As of this morning, there are no new developments except as follows:

A confidential informant of our Detroit Office has reported that the Civil Rights Congress and a local affiliate of the National Committee to Secure Justice in the Rosenberg Case had obtained the telephone number of the White House and indicated that numerous individuals from Detroit are being requested to place telephone calls to the White House asking for clemency for the Rosenbergs.

The Secret Service detail at the White House was telephonically advised of this on June 4, 1953.

ADDENDUM - CEH:LL - 6/5/53

At 10:40 a.m., June 5, the New York Office advised that the hearings on the motions in the Circuit Court of Appeals had been put over until 11:30 a.m. today.

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65-58236-1707

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HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAN

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Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: June 9, 1953

FROM : MR. C. E. HENNRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Tolson ✓
Ladd ✓
Nichols ✓
Belmont ✓
Clegg ✓
Glavin ✓
Harbo ✓
Rosen ✓
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Gearty ✓
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Winterrowd ✓
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Holloman ✓
 Sizoo ✓
Miss Gandy ✓

ASAC Whelan, NYO, called at 4:20 p.m., June 9. He advised that the Circuit Court of Appeals this afternoon (June 9) considered the application for stay of execution and appeal from Judge Kaufman's decision of June 8. The Court declined to hear arguments on the application for stay of execution, after defense attorney Bloch advised he had filed his appeal, and the Court asked for immediate arguments. Bloch wanted to delay arguments, and the Court asked him when he wanted to make arguments. Bloch stated, "After June 18." The Court then declared a short recess and called for arguments immediately thereafter. Following arguments on appeal, the Court took the matter under advisement and has not yet rendered its opinion.

G.I.R.-5

ACTION:

The NYO will promptly notify the Bureau when the Court's opinion is handed down. Judges Swan, Frank, and Augustus Hand are the Circuit Court Judges hearing the appeal.

ce
CEH:LL

cc-MR. NICHOLS

RECORDED - 41

62-58266-1708

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Director

DATE: June 10, 1953

FROM : D. M. Ladd *gr*SUBJECT: JULIUS ROSENBERG, ET AL
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The following are the most recent developments:

(1) On 6/9/53, Emanuel Bloch, Attorney for the Rosenbergs, filed before the U. S. Supreme Court petition for rehearing on their application for writ of certiorari to review their convictions which had been denied by this court on 3/25/53. It will be recalled that Chief Justice Vinson had previously denied their application for a stay of execution pending this application.

(2) At 2:00 P.M., on 6/9/53, Bloch appeared before the U. S. Court of Appeals, Second Circuit, and asked for stay of execution pending appeal to this court of Judge Kaufman's denial on 6/8/53, of their application for new trial on grounds of newly discovered evidence. The court refused to grant a stay. Bloch and Professor Malcolm Sharp, University of Chicago Law School, who was assisting Bloch on this appeal then argued the case and the court reserved decision.

(3) Washington City News Service on 6/9/53, reported that Ambassador Dillon, of our Paris Embassy, received a group of French Socialist Party leaders and was asked to transmit their request for commutation of the death sentence of the Rosenbergs to President Eisenhower. Dillon reportedly sent a cablegram reporting that this group felt the death sentences played into the hands of the Communists and that the French felt this action would be compared to a Soviet execution. The Socialists reportedly emphasized that they did not question the guilt of the Rosenbergs.

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 65-58236

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JUN 12 1953

EX - 104

63 JUN 18 1953

7-25-86

3042 PWT-JAR

1709

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. D. M. LADD

FROM : MR. A. H. BELMONT

SUBJECT: JULIUS ROSENBERG, et al
ESPIONAGE - R

DATE: May 22, 1953

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Miss Gandy

In accordance with the Director's instructions, there is attached a letter to the Attorney General setting forth comments concerning the telegram from Ambassador Douglas Dillon in Paris dated May 15, 1953, which sets forth Dillon's views on the possible adverse effect on the French people and Western Europe in the event the death sentence imposed on Julius and Ethel Rosenberg is carried out.

I talked to Legal Attache L'Allier concerning this. After reading the telegram from Dillon, Mr. L'Allier advised that first it appears that this telegram was drafted by the Political Head of the American Embassy in Paris rather than the Ambassador. The new Ambassador has been at his new station only approximately two and one-half months and has depended a great deal on Mr. William Crawford, the political specialist at the Embassy. Mr. L'Allier feels that whoever drafted this telegram has fallen for the Communist Party line in Europe. The Communist publications in Paris have featured the Rosenberg case as another Sacco-Vanzetti case and have carried the same line as reflected in the Ambassador's telegram.

Mr. L'Allier advised that Dillon's telegram can only be taken as the opinion of the individual who wrote it. L'Allier's opinion is that it is not true that the great majority of French people of all political leanings feel that the death sentence is unjustified. He pointed out that the French traditionally have utilized the death sentence in treason cases and other offenses against the State. Mr. L'Allier feels that contrary to Dillon's telegram, execution of the death sentence will not unfavorably affect Franco-American relations; rather failure to carry out the sentence could well indicate to the French people a lackadaisical attitude and softness on the part of the United States towards its security problems, especially if the President rescinds his original stand. He feels the French are looking to us for guidance and if we vacillate on an important issue of this type it will show a weakness and a softness that will be injurious.

Attachment

AHB:mer

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55 JUN 22 1953

7-25-86 3042 PWT-JAC

1710

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 1 1953

TELETYPE

Mr. Tolson _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Belmont _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Harbo _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Egan _____
Mr. Gurnea _____
Mr. Mohr _____
Mr. Winterrowd _____
Tele. Room _____
Mr. Holloman _____
Mr. Sizoo _____
Miss Gandy _____

WASH FROM NEW YORK 1

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4-15 P

DIRECTOR URGENT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-21-86 BY 3042 PWT-JAR

JULIUS ROSENBERG, ET AL, ESP R. MOTION OF EMANUEL BLOCH FOR MANDAMUS

AGAINST JUDGE IRVING R. KAUFMAN WAS HEARD THIS MORNING IN COURT OF 9-1

APPEALS. BENCH CONSISTED OF JUDGES SWAN, FRANK, AND AUGUSTUS

HAND. BLOCH ARGUED ON THE FOUR POINTS SET FORTH IN HIS PETITION, 2

NAMELY THAT KAUFMAN TOOK INTO CONSIDERATION FACTORS THAT SHOULD

NOT BE CONSIDERED IN FIXING SENTENCE. THESE FOUR POINTS WERE, ONE,

THEIR DEVOTION TO SOVIET RUSSIA, TWO, HE CLASSIFIED THE ROSENBERGS

AS TRAITORS AND THEY WERE NOT CHARGED WITH BEING TRAITORS, THREE,

THAT THEY HAD AN INTENT TO INJURE THE US WHEREAS THE INDICTMENT

CHARGED THAT THEY TRANSMITTED INFORMATION FOR THE ADVANTAGE OF A

FOREIGN COUNTRY, AND FOUR, THAT THE SENTENCE OF DEATH WAS USED TO

COERCE A CONFESSION FROM THEM. BLOCH ARGUED THAT THE COURT HAD

JURISDICTION BECAUSE THE ORDER OF JUDGE KAUFMAN DENYING A REDUCTION

OF SENTENCE IS NOT APPEALABLE AND THAT BECAUSE OF THE STAY IN

EXECUTION GRANTED BY KAUFMAN TO ENABLE BLOCH TO APPEAL TO THE

PRESIDENT FOR EXECUTIVE CLEMENCY PROHIBITED BLOCH FROM TAKING ANY

OTHER LEGAL STEPS, INCLUDING AN APPLICATION TO APPEAL TO THE CIRCUIT

END PAGE ONE

JUN 23 1953

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12

WA 1, PAGE TWO

COURT FOR A REHEARING AFTER THEIR DENIAL OF THE APPLICATION UNDER SECTION TWO TWO FIVE FIVE. BLOCH ARGUES THAT THE CIRCUIT COURT HAD THE RIGHT TO CORRECT AN OBVIOUS ERROR. USA LUMBARD ARGUED IN OPPOSITION, STATING THAT THE COURT OF APPEALS HAD PASSED ON THESE QUESTIONS MORE THAN FIFTEEN MONTHS AGO. HE POINTED OUT THAT IN ANSWER TO THE FOURTH POINT RAISED BY BLOCH THAT THE COURT HAD SPECIFICALLY CONSIDERED THE LESSER SENTENCES GIVEN TO DAVID GREENGLASS AND HARRY GOLD WAS AN ANSWER TO A POINT RAISED BY BLOCH HIMSELF. COURT RESERVED DECISION AS AN ARGUMENT. MOTION IN THE DISTRICT COURT TO VACATE OR CORRECT THE SENTENCES IMPOSED BY JUDGE KAUFMAN WAS REFERRED BY JUDGE SYLVESTER RYAN TO JUDGE KAUFMAN. ARGUMENT ON THIS MOTION WILL BE HAD AFTER TWO PM TODAY. BUREAU WILL BE ADVISED OF THIS ARGUMENT AND OF DECISIONS ON BOTH MOTIONS.

BOARDMAN

HOLD

CC: MR. BELMONT
AND SUPERVISOR
DOM. INTEL. DIVISION

Mr. Tolson	_____
Mr. Ladd	_____
Mr. Nichols	_____
Mr. Belmont	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Harbo	_____
Mr. Rosen	_____
Mr. Tracy	_____
Mr. Gearty	_____
Mr. Mohr	_____
Mr. Winterrowd	_____
Mr. Holloman	_____
Miss Gandy	_____

AIR-TEL

FBI WASH FIELD (65-5521)

6-2-53

4:30 PM

DIRECTOR (65-58236) AND SAC NEW YORK (65-15348) - RM

JULIUS ROSENBERG, ESP. R. RENTEL MAY TWENTY NINE LAST REQUESTING THIS OFFICE TO MAKE ARRANGEMENTS WITH CLERK OF SUPREME COURT TO BE ADVISED OF ANY APPLICATION FOR STAY THAT MAY BE PRESENTED TO ANY JUSTICE OF THE SUPREME COURT. EUGENE N. FRY, ASSISTANT CLERK, SUPREME COURT, ADVISED HE WILL CONTACT THIS OFFICE IMMEDIATELY BY TELEPHONE RE ANY DEVELOPMENTS IN INSTANT CASE COMING BEFORE SUPREME COURT. MR. FRY INFORMED THAT NO REQUEST HAD BEEN MADE OF THE SUPREME COURT BY THE DEFENDANTS WITHIN THE PAST FEW DAYS, INCLUDING TODAY. BUREAU AND NY WILL BE PROMPTLY AND TELEPHONICALLY ADVISED OF ANY DEVELOPMENTS BEFORE THE SUPREME COURT IN THIS CASE AS SOON AS MR. FRY HAS SO ADVISED THIS OFFICE.

Brabazan

TM

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HOOD *HOOD*

RHB/mmd

AIR-TEL

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Inter
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TELETYPE

Mr. Tolson _____
Mr. Boardman _____
Mr. Belmont _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Harbo _____
Mr. Mohr _____
Mr. Winterrowd _____
Tele. Room _____
Mr. Holloman _____
Miss Sizoo _____
Miss Gandy _____

WASHINGTON FROM NEW YORK 28 2

10-51P

DIRECTOR URGENT

Litrent

Bratton

JULIUS ROSENBERG, ESP-R. U. S. CIRCUIT COURT OF APPEALS, SECOND DISTRICT, THIS AFTERNOON DENIED WITHOUT DECISION APPLICATION FOR WRIT OF MANDAMUS VS. JUDGE IRVING KAUFMAN AND FOR STAY OF EXECUTION FOR JULIUS AND ETHEL ROSENBERG WHICH WAS ARGUED JUNE ONE BY EMANUEL BLOCH, ATTY FOR ROSENBERGS. U. S. MARSHAL WILLIAM CARROLL, SDNY, ADVISED JUNE TWO THAT HE SET DAY OF JUNE EIGHTEEN FOR EXECUTION OF SUBJECTS. DR. GEORGE BERNHARDT, PRESENTLY RESIDING IRISH LANE, EAST ISLIP, LONG ISLAND, A PROSECUTION WITNESS IN ROSENBERG TRIAL, ADVISED THAT IN JANUARY FIFTY THREE WHILE RESIDING AT FORTY MONROE ST., NYC, HE WAS CONTACTED BY ELDERLY MAN AND ASKED TO WRITE LETTER TO PRESIDENT OF U. S. ASKING CLEMENCY FOR ROSENBERGS WHICH HE REFUSED TO DO. HE STATED THAT HIS TESTIMONY AT THE TRIAL WAS TRUE AND THAT IF ANYONE ATTEMPTS TO CONTACT HIM HE WILL NOT DISCUSS THE CASE WITH THEM AND WILL ASCERTAIN THEIR IDENTITY AND ADVISE NYO. RE RECALLED TWO WEEKS AGO TWO MEN WITH BRIEFCASES CAME TO HIS OFFICE TO SEE HIM AND HE PHDL ADVISED BY HIS PATIENTS WHO WERE SEATED IN THE ANTEROOM WITH THESE TWO INDIVIDUALS, THAT AFTER A TWO HOUR WAIT THESE MEN LEFT. DR. BERNHARDT DID NOT KNOW THE SIGNIFICANCE OF THIS VISIT.

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FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 8 1953

TELETYPE

Mr. Tolson	
Mr. Ladd	
Mr. Nichols	
Mr. Belmont	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Egan	
Mr. Gurnea	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	

WASHINGTON AND WFO FROM NEW YORK 12 3
DIRECTOR AND SAC URGENT

8-37P

G.I.R.-6

JULIUS ROSENBERG, ET AL, ESP-R. AUSA JAMES KILSHEIMER THIS AFTERNOON ADVISED THAT AS RESULT OF TELEPHONE CALL FROM DEPARTMENT HE IS FORWARDING TO CLERK OF U. S. SUPREME COURT COPIES OF MOVING PAPERS ON THE MOTION FOR A WRIT OF MANDAMUS AGAINST JUDGE IRVING KAUFMAN WHICH WAS DENIED JUNE TWO BY THE CIRCUIT COURT OF APPEALS AND THE MOTION IN THE DISTRICT COURT FOR AN ORDER VACATING THE SENTENCE OF DEATH ON THE GROUNDS OF A FAULTY INDICTMENT AND DIRECTING JUDGE KAUFMAN TO IMPOSE A SENTENCE OF NO MORE THAN TWENTY YEARS. THIS MOTION AND THE APPLICATION FOR A STAY THEREIN WERE DENIED BY JUDGE KAUFMAN ON JUNE ONE. AUSA KILSHEIMER ADVISED THE DEPARTMENT INFORMED HIM THESE PAPERS WERE BEING FORWARDED TO THE CLERK OF THE SUPREME COURT IN THE EVENT JUSTICE JACKSON SHOULD DESIRE TO REVIEW THEM. WFO WILL MAINTAIN LIAISON WITH CLERK OF SUPREME COURT AND REPORT ANY ACTION TAKEN BY JUSTICE JACKSON ON THESE PAPERS OR ANY APPLICATION FOR A STAY THAT MAY BE MADE BY EMANUEL BLOCH AS REQUESTED IN PREVIOUS NY TEL. AUSA KILSHEIMER ADVISED NO APPLICATIONS WERE MADE IN DISTRICT OR APPELLATE COURTS TODAY.

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U.S. DEPARTMENT OF JUSTICE

55 JUN 24 1953

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JUN 8 1953

TELETYPE

Mr. L. ...
Mr. ...
Mr. Clegg ...
Mr. Glavin ...
Mr. Harbo ...
Mr. Rosen ...
Mr. Tracy ...
Mr. Gearty ...
Mr. Mohr ...
Mr. Winterrowd ...
Tele. Room ...
Mr. Holloman ...
Mr. Sizoo ...
Miss Gandy ...
G.I.R.-6

WASHINGTON FROM NEW YORK 13

3

8-40P

DIRECTOR URGENT

JULIUS ROSENBERG, ET AL, ESPIONAGE - R. AUSA KILSHEIMER MADE AVAILABLE THE TEXT OF THE JOINT STATEMENT OF JULIUS AND ETHEL ROSENBERG AS RELEASED TO THE PRESS TODAY BY THEIR ATTORNEY EMANUEL BLOCH AFTER A VISIT WITH THEM AT SING SING. THE STATEMENT READS AS FOLLOWS. "YESTERDAY WE WERE OFFERED A DEAL BY THE ATTORNEY GENERAL OF THE US OF AMERICA. WE WERE TOLD IF WE COOPERATED WITH THE GOVERNMENT OUR LIVES WOULD BE SPARED. BY ASKING US TO REPUDIATE THE TRUTH OF OUR INNOCENCE, THE GOVERNMENT ADMITS ITS OWN DOUBT CONCERNING OUR GUILT. WE WILL NOT HELP TO PURIFY THE FOUL RECORD OF A FRAUDULENT CONVICTION AND A BARBAROUS SENTENCE. WE SOLEMNLY DECLARE NOW AND FOREVER MORE, THAT WE WILL NOT BE COERCED EVEN UNDER PAIN OF DEATH TO BEAR FALSE WITNESS AND TO YIELD UP TO TYRANNY OUR RIGHTS AS FREE AMERICANS."

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BOARDMAN

END
55 JUN 24 1953
NY R 18 WA JG

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CC: MR. BELMONT
MR. ...
MR. ...

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 4 1953

TELETYPE

Mr. Tolson ☒
Mr. Ladd ☒
Mr. Nichols ☒
Mr. Belmont ☒
Mr. Clegg ☒
Mr. Glavin ☒
Mr. Harbo ☒
Mr. Rosen ☒
Mr. Tracy ☒
Mr. Gearty ☒
Mr. Mohr ☒
Mr. Winterrowd ☒
Tele. Room ☒
Mr. Holloman ☒
Mr. Sizoo ☒
Miss Gandy ☒

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10-40 A

WASH 3 FROM NEW YORK 4
DIRECTOR URGENT

JULIUS ROSENBERG, ET AL, ESP-R. RUTH GREENGLASS TELEPHONICALLY
ADVISED THIS AM THAT BERNARD GREENGLASS TOLD HER ON THE EVENING
OF THE THIRD LAST THAT EMANUEL BLOCH HAD CALLED HIM ON THE
EVENING OF JUNE ONE LAST. BERNARD ADVISED THAT BLOCH WANTED
HIM TO MAKE A SUPPLEMENTAL AFFIDAVIT TO THE EFFECT THAT THE GOVT
KNEW ALL ALONG THAT DAVID GREENGLASS HAD TAKEN A PIECE OF URANIUM
FROM LOS ALAMOS. BERNARD ADVISED RUTH THAT HE REFUSED TO GIVE A
STATEMENT OR AFFIDAVIT AS REQUESTED BY BLOCH. IT IS NOTED THAT THE
FACT THAT DAVID TOOK A PIECE OF URANIUM FROM LOS ALAMOS WAS NOT
KNOWN UNTIL RECENTLY WHEN DAVID WAS INTERVIEWED AT LEWISBURG
PENITENTIARY.

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JUN 10 1953

CC: MR. BELMONT
AND SUPERVISOR
DOM. INTEL. DIVISION

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55 JUN 24 1953

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 4 1953

TELETYPE

Mr. Tolson ☒
Mr. Ladd ☒
Mr. Nichols ☒
Mr. Belmont ☒
Mr. Clegg ☒
Mr. Glavin ☒
Mr. Harbo ☒
Mr. Rosen ☒
Mr. Tracy ☒
Mr. Gearty ☒
Mr. Mohr ☒
Mr. Winterrowd ☒
Tele. Room ☒
Mr. Holloman ☒
Mr. Sizoo ☒
Miss Gandy ☒

WASH AND WASH FLD 6FROM NEW YORK 4 228 P

DIRECTOR AND SAC URGENT

G.I.R.-6

JULIUS ROSENBERG, ET AL, ESP-R. AT TWELVE THIRTY PM, JUNE FOUR, EMANUEL BLOCH APPEARED BEFORE CIRCUIT COURT OF APPEALS BENCH CONSISTING OF JUDGES AUGUSTUS N. HAND, PRESIDING, HARRIE B. CHASE AND CHARLES B. CLARK. BLOCH HAD TWO ORDERS TO SHOW CAUSE WHY A STAY OF EXECUTION SHOULD NOT BE GRANTED PENDING ONE, BLOCHS APPEAL TO THE CIRCUIT COURT OF APPEALS FROM JUDGE KAUFMANS DENIAL ON JUNE ONE LAST OF BLOCHS MOTION UNDER SECTION TWO TWO FIVE FIVE TO SET ASIDE THE DEATH SENTENCE AND IMPOSE SENTENCE OF TWENTY YEARS. TWO, REQUESTING A STAY OF EXECUTION PENDING BLOCHS APPLICATION TO SUPREME COURT FOR CERTIORARI FROM THE CIRCUIT COURT OF APPEALS DENIAL ON JUNE TWO LAST OF BLOCHS MOTION FOR A WRIT OF MANDAMUS DIRECTING JUDGE KAUFMAN TO REDUCE SENTENCE. AFTER SOME DISCUSSION JUDGE HAND RULED THAT THE APPEAL FROM THE DECISION OF JUDGE KAUFMAN DENYING APPLICATION UNDER SECTION TWO TWO FIVE FIVE FOR A REDUCTION IN SENTENCE WOULD BE HEARD AT TEN THIRTY AM, JUNE FIVE NEXT. AT SAME

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436 TIME THE APPLICATIONS FOR STAY OF EXECUTION WOULD BE DECIDED. THE

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55 JUN 24 1953

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WA 6 PAGE TWO

BENCH ON JUNE FIVE WILL CONSIST OF CHIEF JUSTICE THOMAS W. SWAN, PRESIDING, AND JUDGES HARRIE B. CHASE AND AUGUSTUS N. HAND. THE ORDERS TO SHOW CAUSE WERE NOT SIGNED BUT IN EFFECT THE RULING OF JUDGE HAND BRINGS THE MOTION BEFORE THE COURT ON JUNE FIVE NEXT. BUREAU AND WFO WILL BE IMMEDIATELY ADVISED OF COURT'S DECISION ON THE APPEAL AND APPLICATION FOR STAYS.

BOARDMAN

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CC: MR. BELMONT
AND SUPERVISOR
DOM. INTEL. DIVISION

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 4 1953

TELETYPE

Mr. Tolson ☒
Mr. Ladd ☒
Mr. Nichols ☒
Mr. Belmont ☒
Mr. Clegg ☒
Mr. Glavin ☒
Mr. Harbo ☒
Mr. Rosen ☒
Mr. Tracy ☒
Mr. Gearty ☒
Mr. Mohr ☒
Mr. Winterrowd ☒
Tele. Room ☒
Mr. Holloman ☒
Sizoo ☒
Gandy ☒

FBI NYC 6-4-53 3-25 AM AJM

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G.I.R.-6

JULIUS ROSENBERG, ET AL, ESP-R. [REDACTED] CONFIDENTIALLY ADVISED

THIS AFTERNOON THAT JULIUS AND ETHEL ROSENBERG HAD A VISIT WITH THEIR COUNSEL, EMANUEL BLOCH, THIS MORNING, JUNE THREE. THEY DISCUSSED THE NEXT LEGAL STEPS TO BE TAKEN. BLOCH TOLD THE ROSENBERGS THAT MR. FINERTY, HIS CO-COUNSEL, WOULD WRITE A LETTER TO EACH OF THE SUPREME COURT JUSTICES CONDEMNING THEM FOR THEIR REFUSAL TO GRANT CERT AND PARTICULARLY FOR VACATING THE STAY OF EXECUTION. FINERTY INTENDED TO TELL THE JUDGES THAT IF THEY CONSIDERED HIS CONDUCT CONTEMPT OF COURT THEY COULD CHARGE HIM TO BE IN CONTEMPT. BLOCH STATED THAT THEY WOULD AGAIN APPEAL TO PRES. EISENHOWER FOR EXECUTIVE CLEMENCY. BLOCH TOLD THEM THAT BERNARD GREENGLASS, BROTHER OF ETHEL, HAD SIGNED A STATEMENT LAST SUNDAY, MAY THREE ONE, IN HIS OFFICE IN WHICH HE DECLARES THAT HIS BROTHER DAVID GREENGLASS TOLD HIM THAT HE HAD STOLEN SOME URANIUM FROM LOS ALAMOS AND LATER HAD THROWN IT IN THE EAST RIVER. THEY DISCUSSED THE VISIT OF MR. BENNETT, DIRECTOR OF PRISONS, JULIUS TOLD BLOCH THAT BENNETT TOLD HIM THAT IF THEY WANTED TO COOPERATE WITH THE GOVT TO SEE THEM. JULIUS ADVISED BLOCH THAT WE TOLD HIM WE WERE INNOCENT AND HAD NOTHING TO CONFESS. BLOCH TOLD THE ROSENBERGS

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JUN 24 1953

PAGE TWO

THAT THE BOOK CONSISTING OF LETTERS WRITTEN BY JULIUS TO ETHEL AND FROM ETHEL TO JULIUS SINCE THEY HAVE BEEN IN JAIL WILL BE PUT .ISHED NEXT WEEK. FURTHER THAT REPRESENTATIVES OF BOOK COMPANIES IN ENGLAND, FRANCE, ITALY AND SOUTH AMERICA HAVE BEEN CONTACTED AND ARRANGEMENTS MADE TO HAVE THE BOOK DISTRIBUTED IN THOSE COUNTRIES. BLOCH TOLD THE ROSENBERGS THAT THEIR CASE WOULD BE TAKEN UP AT THE MEETING OF THE BIG THREE TO BE HELD AT BERMUDA AND THAT THEIR CASE WOULD PLAY A STRONG PART IN DETERMINING THE RESULTS OF THE COMING ELECTION IN ITALY. BLOCH TOLD THE ROSENBERGS HE WAS CONSIDERING ATTEMPTING TO OBTAIN FROM DAVID GREENGLASS A STATEMENT THAT IRVING SAYPOL TOLD DAVID THAT IF HE TESTIFIED FOR THE GOVT THE ROSENBERGS WOULD NOT RECEIVE THE DEATH PENALTY.

[REDACTED] ADVISED THAT A LARGE NUMBER OF NEWSPAPER REPORTERS, NEWS-REEL MEN AND TV CAMERAMEN WERE GATHERED OUTSIDE THE PRISON GATES AND MANY OF THEM CALLED HIM TO FIND OUT IF THE PRESS CONFERENCE THAT BLOCH CALLED WAS TO BE HELD [REDACTED] ALL OF THESE REPORTERS WERE INFORMED BY [REDACTED] THAT NO PRESS CONFERENCES WOULD BE HELD [REDACTED] OR ANY PLACE ELSE INSIDE THE GROUNDS [REDACTED] AND THAT IF BLOCH HAD CALLED A PRESS CONFERENCE IT WAS TO BE HELD OUTSIDE THE PRISON GATES. [REDACTED] ADVISED THAT BLOCH AND THE ROSENBERGS DISCUSSED THE TOPICS OF THE CONFERENCE THAT WAS TO BE HELD WITH THE PRESS BUT [REDACTED] DID NOT KNOW ANY OF THE FACTS OF THE DISCUSSION. b7cD

BOARDMAN

END

3-33 AM OK FBI WA DP

M

MR. BELMONT
AND SUPERVISOR
DOM. INTEL. DIVISION

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 4 1953

TELETYPE

Mr. Tolson _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Belmont _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Harbo _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Gearty _____
Mr. Mohr _____
Mr. Winterrowd _____
Tele. Room _____
Mr. Holloman _____
Mr. Sizoo _____
Miss Gandy _____

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WASH AND WASH FLD 5 FROM NEW YORK
DIRECTOR AND SAC URGENT

G.I.R.-6

JULIUS ROSENBERG, ET AL. ESPIONAGE R. AUSA KILSHEIMER ADVISED THIS MORNING THAT HE HAS AN APPOINTMENT WITH EMANUEL BLOCH AT TWELVE THIRTY PM TODAY. BLOCH WILL SUBMIT TO THE COURT OF APPEALS TWO ORDERS TO SHOW CAUSE TO BRING ON MOTIONS FOR A STAY OF EXECUTION. THERE IS NO DATE SET IN THE SHOW CAUSE ORDER AS TO WHEN THE MOTIONS WILL BE RETURNABLE. ONE MOTION IS FOR A STAY OF EXECUTION PENDING AN APPEAL TO THE COURT OF APPEALS FROM THE DENIAL ON JUNE FIRST LAST BY JUDGE KAUFMAN OF BLOCH-S MOTION TO REDUCE THE SENTENCES OF DEATH TO TWENTY YEARS AND FOR A STAY PENDING AN APPLICATION BY BLOCH TO THE SUPREME COURT FOR CERTIORARI FROM THE COURT OF APPEALS DENIAL OF MANDAMUS DIRECTING JUDGE KAUFMAN TO REDUCE THE SENTENCES OF DEATH. TEMPORARY STAYS WILL NOT BE REQUESTED IN THESE ORDERS TO SHOW CAUSE. BLOCH ADVISED KILSHEIMER THAT IN THE AFTERNOON OF JUNE FIVE NEXT HE WILL PRESENT TO THE DISTRICT COURT AN ORDER TO SHOW CAUSE BRINGING ON A MOTION RETURNABLE JUNE EIGHT NEXT UNDER SECTION TWO TWO FIVE FIVE TO VACATE THE SENTENCES OF DEATH AND FOR A NEW TRIAL. THIS LAST

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WA 5 PAGE TWO

MOTION WILL BE BASED ON THE SO CALLED NEWLY DISCOVERED EVIDENCE SUCH AS THE CONSOLE TABLE, THE STATEMENTS OF DAVID AND RUTH GREENGLASS, ETC. BLOCH IS ALSO HAVING A PRESS CONFERENCE AT AN UNKNOWN HOUR TODAY AT WHICH HE WILL DISCLOSE HIS NEWLY DISCOVERED EVIDENCE. WFO IS ADVISED OF THE FOREGOING SO THAT IT MAY BE ALERT TO ANY APPLICATION BY BLOCH TO THE SUPREME COURT PARTICULARLY IF THE COURT OF APPEALS DENIES HIS APPLICATION FOR A STAY. IT IS ALSO REQUESTED THAT WFO MAINTAIN LIAISON WITH CLERK OF SUPREME COURT AND ADVISE WHEN BLOCH FILES HIS APPLICATION FOR CERTIORARI.

BOARDMAN

END

NY R 5 WA WS

CC: MR. BELMONT
~~AND SUPERVISOR~~
DOM. INTEL. DIVISION

Office Memorandum • UNITED STATES GOVERNMENT

TO : A. H. BELMONT

FROM : C. E. HENRICH

SUBJECT: JULIUS ROSENBERG;
ETHEL ROSENBERG
ESPIONAGE - R

DATE: June 4, 1953

Tolson ✓
Ladd ✓
Nichols ✓
Belmont ✓
Clegg ✓
Glavin ✓
Harbo ✓
Rosen ✓
Tracy ✓
Gearty ✓
Mohr ✓
Winterrowd ✓
Tele. Room ✓
Holloman ✓
 Sizoo ✓
Miss Gandy ✓

With further reference to my memorandum of today's date concerning a meeting between Emanuel Bloch, attorney for the Rosenbergs, and Assistant U. S. Attorney Kilsheimer at the Circuit Court of Appeals at 12:30 today, Supervisor Tom McAndrews furnished the following. At the scheduled time Bloch presented two orders to show cause to the Circuit Court of Appeals for a stay of execution as follows: The first order to show cause requested a stay of execution pending his appeal of Judge Kaufman's decision denying a reduction of sentence of the Rosenbergs on June 1 last to the Circuit Court. The second order to show cause requested a stay of execution in order to afford Bloch an opportunity to apply to the Supreme Court for certiorari requesting a review of the Circuit Court's decision of June 2 last denying a writ of mandamus to order Kaufman to reduce sentence.

At that time Justices Augustus Hand, Harry B. Chase, and Clark instructed Bloch that his appeal from Judge Kaufman's decision of June 1 would be heard by the Circuit Court of Appeals on June 5 at 10:30 A. M. and the appeal will be heard by Chief Justice Swan, Augustus Hand and Chase. At the same time the Court instructed that they would listen to Bloch's arguments on his motion for a stay of execution. Bloch announced to the Court that he was also filing with the Circuit Court an order to show cause for a new trial under Section 2255 on the grounds of newly discovered evidence which he stated he was requesting be made returnable June 8, 1953. Bloch was instructed by the Circuit Court to file his motion with the District Court on June 5, 1953, as he had previously intended to do.

ACTION:

These data are being furnished to the Attorney General.

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WAB
JUN 11 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

FROM : MR. C. E. HENNEIGH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

DATE: June 5, 1953

Tolson _____
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Miss Gandy _____

Supervisor Scott Miller called from New York on the afternoon of June 5. He advised that AUSA Kilsheimer has informed him that he has been conferring with O. John Rogge concerning the statement which was given to Rogge by David Greenglass when Rogge was first retained as attorney by Greenglass. Kilsheimer said he wanted to make arrangements for Rogge to place a telephone call to David Greenglass at the Lewisburg Penitentiary to obtain permission for Greenglass to waive the client-attorney privilege so that Rogge could release to the U. S. Attorney's office and the court the written statement made by Greenglass.

Supervisor Miller stated that he suggested to AUSA Kilsheimer that since Greenglass is under the jurisdiction of the Bureau of Prisons, he might desire to make his arrangements directly through the Bureau of Prisons, and Kilsheimer indicated he would do this.

RECOMMENDATION:

If you agree, I will advise Mr. William Foley of the Department of this fact, so that if the Department desires this action taken, they can assist Kilsheimer in making the necessary arrangements with the Bureau of Prisons.

ee
CEH:LL

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I talked
to Olney 6/5/53
see memo
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JUN 11 1953

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78 JUN 22 1953

Office Memorandum

UNITED STATES GOVERNMENT

TO : D. M. Ladd

DATE: June 5, 1953

FROM : A. H. Belmont

SUBJECT: JULIUS ROSENBERG, et al
ESPIONAGE - R

Tolson _____
Ladd _____
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Belmont

In view of AUSA McMahon's call to Mr. Ladd regarding the proposed telephone call by Attorney Rogge to his client, David Greenglass, at Lewisburg Penitentiary, I called Assistant Attorney General Olney this afternoon.

I told Mr. Olney that McMahon had called us to say that he had talked to Olney regarding this telephone call and that Olney had recommended clearance should be obtained from the Director. I advised Mr. Olney that as this appeared to be a matter involving a call by an attorney to his client whom he would be entitled to see if he went to the penitentiary, it appeared to be a question of arranging with the warden of the penitentiary to receive the call. I advised him that we had suggested through our New York Office that it was a matter to be settled between the United States Attorney and the Bureau of Prisons or the Department. I pointed out that the United States Attorney apparently feels that he needs the statement which Greenglass gave to his attorney, Rogge, and that Rogge is willing to give the statement to the United States Attorney, provided he receives clearance from Greenglass. The statement is to be used by the United States Attorney in answering the motion of Attorney Bloch for a new trial for the Rosenbergs based on newly discovered evidence, which evidence appears to be this statement of Greenglass.

He said that he was not sufficiently acquainted with the case to know whether the United States Attorney should get this statement from Rogge. I told him that this appeared to be a matter for the United States Attorney to decide as to whether he needed the statement and beyond that it was merely a mechanical proposition as to whether the Bureau of Prisons would allow the call to be made. Mr. Olney wanted to know what our opinion was as to whether the United States Attorney should get the statement and make the call. I told him I was not in a position to give him an opinion; that the facts were as I had related; and if he wanted an opinion from the Bureau, I would be glad to check and call him back later.

AHB:mjh

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Mr. Olney advised that if the United States Attorney feels he needs this statement to counteract Bloch's motion, he could see no reason why it should not be secured through the method indicated and, therefore, he would contact Jim Bennett of the Bureau of Prisons and arrange for the call to be put through. I told him Greenglass was at Lewisburg Penitentiary and that the warden is Humphreys.

I then called SAC Whelan in New York and advised him that Mr. Olney had decided to arrange with prison authorities to put the call through; that he should so advise AUSA McMahon; and if McMahon wants any further details he should contact Olney.

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: June 8, 1953

FROM : D. M. LADD *pl*

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R
(BuFile 65-58236)

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Belmont _____
Clegg _____
Glavin _____
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Rosen _____
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Winterrowd _____
Tele. Room _____
Holloman _____
Gandy _____

Most recent developments in the above case are as follows:

1. On June 5, 1953, the U. S. Court of Appeals, Second Circuit, affirmed without opinion order of Judge Kaufman denying motion to set aside sentence of death and to resentence defendants to term not exceeding twenty years. USCCA also denied application for stay of execution.

2. Defendants filed motion returnable June 9, 1953, in U. S. District Court requesting order (a) granting new trial pursuant to Rule 23 of Federal Rules of Criminal Procedure; (b) vacating and setting aside judgment of convictions and sentence pursuant to Section 2255, Title 28, U. S. Code, and (c) for such other and further relief as may be just and proper.

3. Washington City News Service carried story from Vienna dated June 6, 1953, that Communists are expected to stage "serious" demonstrations at U. S. Embassies and Legations in Eastern Europe on June 19, 1953, if the Rosenbergs are executed.

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EX-113

53 JUN 18 1953

APL:awn

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT *AB*

FROM : MR. C. E. HENRICH *CH*

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

DATE: June 9, 1953

Tolson ☒
Ladd ☒
Nichols ☒
Belmont ☒
Clegg ☒
Glavin ☒
Harbo ☒
Rosen ☒
Tracy ☒
Laughlin ☒
Mohr ☒
Winterrowd ☒
Tele. Rm. ☒
Holloman ☒
Gandy ☒

SA Fletcher, WFO, has furnished to the Bureau copies of two petitions filed with the Supreme Court this morning (June 9). The petition in connection with the Rosenberg case consisted of an application for a rehearing on the denial of certiorari by the Supreme Court on May 25, 1953. The second petition was a similar petition on behalf of Morton Sobell.

ACTION:

For your information.

ce
CEH:LL

cc-MR. NICHOLS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAB

JUN 10 1953

65-58232-1724

JUN 11 1953

me

URGENT

JUNE 11, 1953

SAC, NEW YORK
CLEVELAND

W JULIUS ROSENBERG, ET AL., ESPIONAGE DASH R. IN VIEW OF
POSSIBILITY ROSENBERGS MAY TALK IN RETURN FOR COMMUTATION
OF SENTENCE AS EXECUTION DATE OF JUNE EIGHTEEN APPROACHES,
NY AND CLEVELAND SHOULD IMMEDIATELY INTENSIFY COVERAGE OF
OTHER SUBJECTS PRESENTLY UNDER INVESTIGATION AS POSSIBLY
INVOLVED IN ROSENBERG ESPIONAGE NETWORK, PARTICULARLY WITH
RESPECT TO MAXWELL FINESTONE, EDWARD JAMES WEINSTEIN,
VIVIAN GLASSMAN PATAKI, AND MICHAEL AND ANNE SIDOROVICH,
TO DETERMINE IF THEY ENGAGE IN ANY UNUSUAL ACTIVITY OR
ATTEMPT TO LEAVE COUNTRY. DISCREET SPOT CHECK SURVEILLANCES
SHOULD BE UTILIZED. BUREAU SHOULD BE KEPT ADVISED OF ANY
IMPORTANT DEVELOPMENTS.

HOOVER

65-58236

APL:aww

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 11 1953

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gearty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
Sizoo _____
Gandy _____

JUN 18 1953
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JUN 11 4 54 PM '53

S. DEPT. OF JUSTICE

RECEIVED
DIRECTOR

JUN 15 1953

-1725

INITIALED BY
DIRECTOR'S OFFICE

WABQ

FEDERAL BUREAU OF INVESTIGATION

FORM No. 1
THIS CASE ORIGINATED AT

NEW YORK

FILE NO.

REPORT MADE AT NEWARK	DATE WHEN MADE JUN 10 1953	PERIOD FOR WHICH MADE 5/27-29/53	REPORT MADE BY JOHN R. LYONS cmg
TITLE JULIUS ROSENBERG, ET AL			CHARACTER OF CASE ESPIONAGE - R
SYNOPSIS OF FACTS: Records at National State Bank, successor to Orange First National Bank, indicate two U.S. savings bonds purchased by pay roll deduction by DAVID ENGELSON of Couse Laboratories, Inc., and listed to Mrs. MARY ENGELSON, his co-owner with RICHARD P. ENGELSON. ALL INFORMATION CONTAINED RUC HEREIN IS UNCLASSIFIED DATE 7-25-86 BY 3042 PWT-JAR <u>DETAILS</u> It has been ascertained that two United States Government Savings Bonds, twenty-five dollars denomination, numbers Q78767348E and Q95703463E, were purchased at the Orange First National Bank, Orange, N. J., in the name of Mrs. MARY ENGELSON or RICHARD P. ENGELSON, 40 Monroe Street, New York City. Newark Confidential Informant T-1, of unknown reliability, advised that the Orange First National Bank was taken over by the National State Bank and is now considered the Orange office of the National State Bank, Orange, N. J. Informant advised that the bonds in question were purchased in October and November 1942 and were twenty-five dollar bonds made out in the name of Mrs. MARY ENGELSON as co-owner with RICHARD PETER ENGELSON, 40 Monroe Street, New York City. ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11-20-01 BY 60322 JAR			
APPROVED AND FORWARDED: DSH	SPECIAL AGENT IN CHARGE	SECURITY INFORMATION - CONFIDENTIAL	
COPY IN FILE		65 HJ 8236-1726	
COPIES OF THIS REPORT 6 - Bureau (65-38236) (Registered Mail) 6 - New York (65-15348) (Registered Mail) 1 - Subfile B) COPIES DESTROYED 2 - Newark (65-4085) 436 NOV 10 1960		RECORDED - 91 INDEXED - 91 15 1953 LYONS	

PROPERTY OF FBI—This confidential report and its contents are loaned to you by the FBI and are not to be distributed outside of agency to which loaned.

NK 65-4085

These bonds, according to the Informant, were purchased under the pay roll deduction plan of Couse Laboratories, Incorporated, 300 Passaic Street, Newark, N. J., and the employee of Couse buying them was number 488. Newark T-1 stated that he considered this to be a pay roll number of Couse Laboratories.

On 4/21/53 Mrs. AILEEN RAUB, Office Secretary, National State Bank, Orange office, Main Street, Orange, N. J., advised that she searched the records of that Bank and the old Orange First National Bank and ascertained that they had no accounts under the names of DAVID, MARY, or RICHARD ENGELSON or ENGEL. She also advised that they had no records under the name of the Snap Band Company or the Gooseneck Chain Company.

On 5/29/53 A. H. ENCHE, Plant Manager, Couse Manufacturing Company, 300 Passaic Street, Newark, N. J., advised that DAVID ENGELSON, 40 Monroe Street, New York City, Apartment DI 3, time card number 488, had been employed by them as a machinist's helper on 7/22/42. He was released as being not capable 11/27/42.

The following information was contained in their files concerning ENGELSON:

Social Security Number: 130-03-0901
Born: 9/14/09 New Rochelle, N. Y.
Parents: Born in Poland
Wife: MARY ENGELSON, nee SANZAN, born Denver, Colorado.

Relatives: MORRIS and ETHEL PICKER, 843 Crotona Park North, Bronx, N. Y.
SANDRA ATLAS, East 97th Street and Madison Avenue, New York City.

(No further identification was given to these relatives)

Under references ENGELSON listed the following:

Doctor STRAUS, 1901 Bedford Avenue, Brooklyn, N. Y.
ROSE AKULA, 170 Henry Street, New York City
IRVING CHERNOW, 44 Bowery, New York City.

NK 65-4085

Former Employments:

1941-1942: Mr. BLUMENTHAL,
care of University, 95 Christie
Street, New York City.

May to July 1942: Sperling
Products, 62 Grand Street,
New York City.

1935-1938: Repick Realty,
1151 Cnaes Ave., Bronx, N.Y.

He stated he left all of these employments because of
lack of work.

Education:

Columbus School, New Rochelle,
N. Y., eight years, 1915-1923.

New Rochelle High School, N.Y.,
four years, 1923-1927.

New York University, Washington
Square, N. Y., two years,
1927-1929.

Aviation Trade School, 1941-1942

Mr. ENCHE stated he did not know ENGELSON as he had
commenced his employment after ENGELSON left.

Mr. WILLIAM ROSE, Senior Foreman, Couse Manufacturing
Company, advised that he remembered ENGELSON, stating that he
worked a short time for the company. He also advised that the
only details he can recall concerning ENGELSON was that he was
a firey individual who could not stand criticism and "exploded"
on one occasion. By that he stated he meant that he had an
argument with one of the other workmen at one time.

Mr. EMMERICH ROESCH, Machine Shop Superintendent,
stated he did not know ENGELSON when he was at Couse Laboratories.

The Newark, N. J., Police Department files have no
information on ENGELSON.

- R U C -

NK 65-4085

ADMINISTRATIVE PAGE


INFORMANT

T-1: Mr. HOWARD ROBERTS, Teller, National State Bank,
Orange office, Main Street, Orange, N. J.

REFERENCE

New York Air-Tel to Bureau and Newark, 4/3/53.

65-58236-1727
CHANGED TO
65-58367-311X

 JUL 29 1953

7-25-86

3042 PWT-JDR

Mr. Tolson	
Mr. Boardman	
Mr. Nichols	
Mr. Belmont	
Mr. Ladd	
Mr. Clegg	
Mr. Glavin	
Mr. Harbo	
Mr. Rosen	
Mr. Tracy	
Mr. Egan	
Mr. Gurnea	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	

gs

AIR-TEL

FBI WASH FIELD (65-5521)

6-4-53

5:30

DIRECTOR (65-58236) AND SAC NEW YORK (65-15348) — REGISTERED MAIL

JULIUS ROSENBERG, ETAL., ESP. R. RENYTEL JUNE THREE LAST. CARL ZIMMERMAN,

ASSISTANT CLERK, U. S. SUPREME COURT, ADVISED NO ACTIONS HAD BEEN FILED

TODAY BY DEFENSE COUNSEL IN ABOVE CASE. THIS OFFICE CONTINUING LIAISON

WITH CLERK, SUPREME COURT, AND WILL ADVISE ACCORDINGLY.

HOOD

RHB/rmd

AIR-TEL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

65-58236-1728
JUN 10 1953

RECORDED-105

ma
JUN 10 1953

JUN 10 1953
RECORDED-105

Huber

THURSDAY
TODAY MEANT "NO VACATIONS" FOR HIM AND HIS STAFF. HE SAID THEY WILL SPEND THE SUMMER "DIGGING" IN THE RECORDS TO ANSWER QUESTIONS THE COURT RAISED ON THE ISSUE.

MARSHALL ADDED THAT "WE ARE HIGHLY GRATIFIED" THAT THE COURT RULED THAT NEGROES MUST BE SERVED IN WASHINGTON, D.C. RESTAURANTS.

6/8--W0710P

ADD ROSENBERGS, NEW YORK

Julius Rosenberg

BLOCH CHARGED THE GOVERNMENT KNOWINGLY USED PERJURED TESTIMONY. HE PRODUCED STATEMENTS HE SAID GREENGLASS AND HIS WIFE MADE TO THEIR ATTORNEY, O. JOHN BOGGE, AND SAID THEY LATER WERE "FILCHED." FROM THE ATTORNEY'S FILES.

KAUFMAN ASKED U.S. ATTORNEY J. EDWARD LUMBARD TO INVESTIGATE THE MATTER AND DETERMINE WHETHER THERE HAD BEEN ANY OBSTRUCTION OF JUSTICE. WITH BLOCH IN COURT WAS MALCOLM SHARP, IDENTIFIED AS A UNIVERSITY OF CHICAGO LAW PROFESSOR. HE WAS URGED FREQUENTLY BY KAUFMAN TO STOP EXPLAINING WHY HE HAD ENTERED THE CASE AND TO GET TO THE POINT IN ARGUING ON THE DEFENSE MOTIONS.

6/8-W0713P

*Memo Jones to Nichols 6/15/53
JUN 15*

~~RECORDED~~

145-58-36-1729
JUN 17 1953 NOT RECORDED

INDEXED - 71

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT/JAN

18 AUG 6 1953 317

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 12 1953

TELETYPE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/22/86 BY 3042 put-D7C

Mr. Tolson	_____
Mr. Ladd	_____
Mr. Nichols	_____
Mr. Belmont	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Harbo	_____
Mr. Rosen	_____
Mr. Tracy	_____
Mr. Gearty	_____
Mr. Mohr	_____
Mr. Winterrowd	_____
Tele. Room	_____
Mr. Holloman	_____
Mr. Sizoo	_____
Miss Gandy	_____

WASH 18 FROM NEW YORK 12 5-45 P

DIRECTOR URGENT

JULIUS ROSENBERG, ET AL, ESP DASH R. [REDACTED] b2 b7D

[REDACTED] ADVISED TODAY THAT AT AN EVENING MEETING OF CP JUNE ELEVEN LAST
IN THE BASEMENT OF RESIDENCE OF [REDACTED]

[REDACTED] JAMAICA, NY, ATTENDED [REDACTED]
ATTORNEY AND [REDACTED] OF THE QUOTE DAILY WORKER UNQUOTE AND
APPROXIMATELY FIFTY OTHER INDIVIDUALS, THE FOLLOWING INFO WAS
DISCUSSED. CP WILL GO ALL OUT FOR THE ROSENBERGS FROM NOW UNTIL
JUNE EIGHTEEN NEXT AND ALL OTHER CP ACTIVITIES WILL BE SET ASIDE.
THEIR LIVES MUST BE SAVED BECAUSE IF THEY TALK IT WILL IMPLICATE
THE CP AS AN AGENCY FOR ESPIONAGE IN THIS COUNTRY. IT WAS IMPLIED
THAT EACH AND EVERY MEMBER OF THE CP WILL BE CONSIDERED GUILTY OF
ESPIONAGE AND THE ROSENBERGS MUST BE KEPT ALIVE. THE COMRADES
HAVE A BIG STAKE IN KEEPING THE ROSENBERGS ALIVE. [REDACTED] b7C

[REDACTED] CONFIDENTIALLY ADVISED JUNE ELEVEN
LAST THAT JULIUS AND ETHEL ROSENBERG HAD DISCUSSED IN A CONVERSATION
A DAY OR TWO PREVIOUS THAT IF THEIR LATEST APPEAL IN THE USCCA
FAILED THEIR ATTORNEY, EMANUEL BLOCH WOULD GO TO WASHINGTON JUNE
FIFTEEN AND ATTEMPT TO SECURE A STAY OF EXECUTION FROM JUSTICE
BLACK, US SUPREME COURT. [REDACTED] b2 b7C

BOARDMAN

END

RECORDED - 71

27

JUN 12 1953

100-58236-1730
S. J. [Signature]

RECORDED - 71

cc - Ladd
Belmont
Branigan
J. Edgar Hoover

THE ATTORNEY GENERAL

Director, FBI

JULIUS ROSENBERG, et al
ESPIONAGE - R

An informant of known reliability has advised that on the evening of June 11, 1953, a Communist Party meeting was held in the basement of the residence of [redacted] Jamaica, New York. Approximately fifty persons, including [redacted] an attorney, and [redacted] a political writer of the "Daily Worker," attended the meeting. The chairman of the meeting was [redacted] Negro. The informant further advised that the discussion at the meeting indicated that the Communist Party will go all out for the Rosenbergs from now until June 18, next, and all other Communist Party activities will be set aside. It was brought out that the Rosenbergs must be saved because if they talk it will implicate the Communist Party as an agency for espionage in this country. It was implied that each and every Communist Party member will be considered guilty of espionage and the Rosenbergs must be kept alive. [redacted] stated "You comrades don't know how hard we attorneys have been working on this case." [redacted] referred to Judge Irving Kaufman as "Butcher Kaufman." [redacted] urged all present to send telegrams to President Eisenhower on behalf of the Rosenbergs.

Individuals in attendance who are known to the informant were [redacted] Our files reflect that these individuals, with the exception of [redacted] are subjects of pending security investigations. The security investigation of [redacted] is in a closed status but she has been retained on the Security Index. [redacted] is the subject of a pending security investigation and is on the Security Index.

2cc - Assistant Attorney General Warren Olney III
Criminal Division

APL:amc

MAILED 8
JUN 16 1953
COMM-FBI

56 JUN 19 1953

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT/JAG

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Laughlin
Mohr
Winterrowd
Tele. Room
Holloman
Gandy

[REDACTED] is also the subject of a pending security investigation. The records of the Bureau of Special Service and Investigations, New York City Police Department reflect that [REDACTED] for a group called "Committee for Repeal of Smith Act." A [REDACTED] who may be identical with this individual, was a former War Manpower Commission employee who was fired by the United States Civil Service Commission in September 1944 when his loyalty was doubted. b7D

[REDACTED] mentioned above, may be identical with [REDACTED] Negro, [REDACTED] Jamaica, New York, who was identified as a paid employee of the International Workers Order. b7D

The informant has also advised that some of the individuals present at this meeting were policy-making comrades of the Communist Party and that, with the exception of [REDACTED] all of them are identified with the Queens County Section of the Communist Party of New York. b7D

A check of our files on the above-named individuals does not reflect any of them to be Communist Party policy-making functionaries.

Any additional information developed in this matter will be furnished to you.

~~CONFIDENTIAL~~
~~CONFIDENTIAL~~
~~CONFIDENTIAL~~

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 12 1953

TELETYPE

Mr. Tolson _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Belmont _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Harbo _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Gearty _____
Mr. Mohr _____
Mr. Winterrowd _____
Tele. Room _____
Mr. Holloman _____
Mr. Sizoo _____
Miss Gandy _____

WASH FROM NEW YORK 17

12

5-29 P

DIRECTOR

URGENT ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 10/22/86 BY 3042 Jmt-Dtc

ATTN. ASST. DIR. A. H. BELMONT

JULIUS ROSENBERG, ET AL, ESP R. REMYTELS AND TELEPHONE CONVER-
SATION THIS DATE. FOLLOWING PENDING CASE FILES UNDER INVESTIGA-
TION BY NY EXIST ON PERSONS IDENTIFIED BY [REDACTED] b2 b7D

[REDACTED] AS HAVING ATTENDED MEETING ON BEHALF OF ROSENBERGS AT ONE
[REDACTED] JAMAICA, QUEENS, AND BELIEVED
TO BE RESIDENCE OF [REDACTED] ON EVENING OF JUNE ELEVEN FIFTYTHREE.

END PAGE ONE

RECORDED - 71

165-58236-173
JUN 12 1953

JUN 19 1953

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436 NOV 10 1960

REFLECT [REDACTED] FOR A GROUP CALLED QUOTE COMMITTEE
FOR REPEAL OF SMITH ACT UNQUOTE. A [REDACTED] BELIEVED TO
END PAGE TWO

WA 17 PAGE THREE

BE IDENTICAL WITH [REDACTED] DESCRIBED BY INFORMANT, FORMER WAR
MANPOWER COMMISSION EMPLOYEE, WAS FIRED SEPT FORTYFOUR BY CIVIL
SERVICE WHEN HIS LOYALTY WAS DOUBTED. U. S. COURT OF APPEALS ON
DEC SIXTEEN, FORTYSIX, UPHELD THE DECISION PAREN JOURNAL AMERICAN
DEC SIXTEEN, FORTYSIX END PAREN. [REDACTED] b7D

ACCORDING TO BSSI RECORDS. [REDACTED] NEGRO, CHAIRMAN ON PRE-
VIOUSLY DESCRIBED MEETING, MAY BE IDENTICAL WITH [REDACTED]
NEGRO, [REDACTED] JAMAICA, QUEENS, WHO WAS IDENTIFIED AS A PAID
EMPLOYEE OF THE IWO. [REDACTED]

[REDACTED] b7D
b2
ADVISED THIS DATE THAT NONE OF THE COMRADES PRESENT WERE PARTY
POLICY MAKING COMRADES AND WITH THE EXCEPTION OF [REDACTED] ARE b7D
ALL IDENTIFIED WITH QUEENS COUNTY CP. NY CASE FILES ON THESE IN-
DIVIDUALS DO NOT REFLECT ANY TO BE PARTY POLICY MAKING FUNCATIONARIES.

BOARDMAN

END

NY R 173⁵ WA PNVA

MISC

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10/22/86 BY 3042 *fwl-dsc*

UNITED STATES DEPARTMENT OF JUSTICE
NEW YORK, 5/16/53

Mr. Tolson _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Belmont _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Harbo _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Garty _____
Mr. Mohr _____
Tele. Room _____
Miss Gandy _____

Transmit the following Teletype message to: BUREAU

JULIUS ROSENBERG, ET AL, ESPIONAGE - R. REBULET, 3/9/53, WHICH
ADVISED NY OF THE RECEIPT OF AN ANONYMOUS LETTER MAILED FROM
HAMMONTON, N. J., CONCERNING HARRY GOLDBERG. THE 1952-1953
ISSUE OF THE NEW YORK TELEPHONE DIRECTORY LISTS A HARRY P.
GOLDBERG, 90 HARRIMAN AVENUE, HEMPSTEAD, LONG ISLAND, TELEPHONE
HEMPSTEAD 2-5495R. [REDACTED] b2
[REDACTED] 67D

[REDACTED] GOLDBERG WAS LISTED AS A SALESMAN FOR THE
NURRE COMPANY, EGG HARBOR, N. J., TELEPHONE NUMBER CLOV. 8-0561.
THE ELECTION RECORDS WERE CHECKED WITH THE FOLLOWING RESULTS.
1952, HARRY P. GOLDBERG AND LEAH R. GOLDBERG, NO AFFILIATION.
1951, CHECK WAS NEGATIVE. 1950 AND THE 1948 ELECTION RECORDS
LISTED HARRY AND LEAH GOLDBERG, WITH NO AFFILIATION. 1948
REGISTRATION FURTHER SHOWS THAT HARRY P. GOLDBERG, AGE 45, BORN
U. S., VOTED IN 1947, FROM 1098 E. 51ST STREET, BROOKLYN, AND
THAT LEAH R. GOLDBERG, AGE 34, BORN U. S., VOTED IN 1947, FROM
1098 E. 51ST STREET, BROOKLYN. THE FILES OF THE NASSAU COUNTY
PD AND THE LONG ISLAND LIGHTING COMPANY CONTAINED NO RECORD OF
THESE INDIVIDUALS. THE RECORDS OF THE CREDIT BUREAU OF GREATER
NEW YORK REFLECT THAT ONE HARRY P. GOLDBERG, WIFE, LEAH, OF 90

③ - Bureau (65-58236) (REGULAR MAIL)

JAH:MEH (#6)
65-15348

Approved: *L. V. [signature]*

Special Agent in Charge

RECORDED - 16

165-58236-1737
MAY 18 1953
6/5
Sent _____ M Per _____

COPIES DESTROYED

488 NOV 10 1960

JAH:MEH
65-15348

UNITED STATES DEPARTMENT OF JUSTICE
NEW YORK, 5/16/53

PAGE 2

Transmit the following Teletype message to:
HARRIMAN AVENUE, HEMPSTEAD, LONG ISLAND, FORMERLY RESIDED AT
1098 E. 51ST STREET AND 288 CROWN STREET, BROOKLYN. THE
GOLDBERGS HAVE BEEN AT THE HARRIMAN AVENUE ADDRESS SINCE JULY
OF 1948, AND OWN THIS HOUSE. GOLDBERG IS THE NEW YORK REPRESENTATIVE FOR THE NURRE AND COMPANY, INC., OF EGG HARBOR, N. J., AND BLOOMINGTON, IND. THE NEW YORK SALES OFFICE IS LOCATED AT 206 LEXINGTON AVENUE, AND SHOWROOMS ARE ALSO LOCATED AT 1133 BROADWAY, NYC. HARRY GOLDBERG HAS BEEN ASSOCIATED WITH THIS FIRM, FOR MORE THAN 16 YEARS. HE HAS A CHECKING ACCOUNT AT THE SECOND NATIONAL BANK, HEMPSTEAD, AND HIS CREDIT IS LISTED AS GOOD, WITH NO DEROGATORY INFORMATION NOTED. A REVIEW OF THE FILES OF THE NYO REFLECT THAT ON 7/6/51, [REDACTED] 62

[REDACTED] 67D

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] THE ABOVE INFORMATION IS CONTAINED IN NY FILE 100-0-63908. THE NY FILES ALSO REFLECT THAT IT WAS REPORTED IN THE BROOKLYN "DAILY EAGLE", ISSUE OF 5/26/48, PAGE 28, THAT A MEETING OF THE BROOKLYN WOMEN'S DIVISION OF THE AMERICAN JEWISH CONGRESS WAS HELD IN THE HOTEL GRANADA ON 5/25/48. IT WAS ALSO NOTED IN THIS ARTICLE THAT MRS. LEAH GOLDBERG AND OTHERS WERE ELECTED VICE PRESIDENTS OF THIS ORGANIZATION. THIS INFO IS FOUND IN NY FILE 100-6769, SERIAL 169. THE BUREAU'S

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

JAH:MEH
65-15348

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE
NEW YORK, 5/16/53

PAGE 3

Transmit the following Teletype message to:

ATTENTION IS DIRECTED TO THE REPORT OF SA JOHN G. KEENAN, DATED 9/19/44, IN THE CASE OF THE COMMUNIST POLITICAL ASSOCIATION, DISTRICT #2, NY FIELD DIVISION, IS-C. ON PAGE 8 OF THIS REPORT IS THE NAME HARRY GOLDBERG, 1098 E. 51ST STREET, WHO IS LISTED AS A MEMBER OF THE OLGIN GROUP, 1831-A STRAUSS STREET, BROOKLYN. THIS INFORMATION IS FOUND IN NY FILE 100-26603, SUBFILE C30, SERIAL 4, PAGE 8. IN VIEW OF THE FOREGOING, IT IS REQUESTED THAT THE BUREAU ADVISE NY WHETHER IT DESIRES THAT HARRY P. GOLDBERG BE INTERVIEWED. NY, IN THE MEANTIME, WILL SECURE GOLDBERG'S SELECTIVE SERVICE FILE FOR ADDITIONAL BACKGROUND INFO, AND THE BUREAU WILL BE ADVISED OF THIS INFO.

BOARDMAN

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

SEARCH SLIP

Supervisor LITREUTO Room 1736Subj: HARRY P. GOLDBERG☐ Exact Spelling☐ All References☒ Subversive Ref.☐ Mail File☐ Restricted to Locality ofBuildups - No Harry

Searchers

Initial RVODate 5-19-53

FILE NUMBER

SERIALS

LWD Int
in 1003

P. 2045 in 1948

Harry Paul (Buildup)WZ. 67CHarryb2Approx. 60 names" 250 C'sSpine

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-25-86

Initialed

BY 3042 PWT-JAR

June 3, 1953

SAC, New York (65-15348)

Director, FBI (65-58236)

TOP SECRET

JULIUS ROSENBERG, et al.
ESPIONAGE - R

Classified by 3042 pwt-D/c
Declassify on: OADR
10/22/86

RECORDED - 16
INDEXED - 16

65-58236-1732

Reur airtel 5-16-53, reporting background information on Harry P. Goldberg and requesting that the Bureau advise whether Goldberg be interviewed.

tion was received from [redacted] reflecting that a [redacted] Goldberg, born [redacted] 1943 member of the IWO. (61-7341-34-364, encl., pg 237)

No other information identifiable with Harry P. Goldberg has been located in Bureau files.

It is noted you point out that a Harry Goldberg of 1098 East 51st Street, Brooklyn, New York, who is probably identical with Harry P. Goldberg, was listed as a member of the Communist Political Association in 1944. In view of the anonymous allegation that Goldberg was linked with the Communist espionage network of Rosenberg, et al, and that Goldberg went underground years ago, you are requested to conduct additional inquiry to determine more complete background on Goldberg, his present activities, associations and possible Communist affiliations at this time. You are also requested to secure photographs of Goldberg so that same may be exhibited to established Bureau sources on Soviet espionage. It will not be necessary to open a security case on Goldberg unless sufficient derogatory information is developed by your office warranting such action. Thereafter you should submit your recommendations to the Bureau as to the advisability of interviewing him.

Your attention is directed to Bulet dated 8-17-51, reporting information from [redacted]

APPROPRIATE AGENCIES

AND FIELD OFFICES

ADVISED BY ROUTING

SLIP(S) OF

DATE 6/29/53

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gearty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
 Sizoo _____
Miss Gandy _____

APL:aww

COMM - FBI

JUN 4 1953

MAILED 30

TOP SECRET

Classified by 2355
Exempt from GDS, Category 243
Date of Declassification Indefinite

NOTE ON PAGE TWO

~~SECRET~~

This matter should be handled promptly and the results of your inquiry and recommendation concerning an interview of Goldberg should reach the Bureau not later than thirty days from the date of this letter.

NOTE:

The Bureau received anonymous letter dated 2-21-53, alleging Goldberg mentioned above was link in Communist spy ring of Rosenberg, et al, and that he went underground years ago. Bulet 3-5-53, requested NYO to identify Goldberg and ascertain his background to determine whether sufficient basis existed to institute investigation of him. It is not believed NYO airtel of 5-16-53, attached, contains sufficient information on Goldberg to make this determination.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 28 1953

TELETYPE

Dec
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 8042 PWT-JAR

WASHINGTON FROM NEW YORK 28 28 10-06P

DIRECTOR U R G E N T

sl
Mr. Tolson _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Belmont _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Harbo _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Gearty _____
Mr. Mohr _____
Mr. Winterrowd _____
Tele. Room _____
Mr. Holloman _____
Mr. Sizoo _____
Miss Gandy _____
L. J. ...
B. ...

CIR-5 9-1
JULIUS ROSENBERG, ETAL, ESPIONAGE - R. AUSA KATZMEIER ADVISED
TODAY THAT THE ORDER OF THE SUPREME COURT DENYING CERT, WAS RECEIVED
AND FILED IN THE COURT OF APPEALS THIS A. M. MR. BELL, CLERK OF THE
KCOURT OF APPEALS, SPOKE WITH MR. WILLY, CLERK OF THE SUPREME COURT,
TELEPHONICALLY AND WAS ADVISED THAT A SEPARATE ORDER VACATING THE
STAY WAS MAILED BY THE SUPREME COURT ON THE EVENING OF THE TWENTY
SEVENTH LAST. MR. BELL THEREUPON FILED THE MANDATE OF THE CIRCUIT
COURT OF APPEALS WITH THE CLERK OF THE SOUTHERN DISTRICT. ORDER
FIXING NEW DATE OF EXECUTION WILL BE SUBMITTED TO JUDGE IRVING
KAUFMAN AT TEN THIRTY A. M. ON THE TWENTY NINTH NEXT. *W*
RECORDED - 11 65-158038-1733

JUN 3 1953

BOARDMAN *She*

J
HOLD
55 JUN 18 1953

CC: MR. BELMONT
AND SUPERVISOR
DOM. INTEL. DIVISION

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 29 1953

TELETYPE

Mr. Tolson _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Belmont _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Harbo _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Gearty _____
Mr. Mohr _____
Mr. Winterrowd _____
Tele. Room _____
Mr. Holloman _____
Mr. Gandy _____

WASHINGTON AND WASH FLD 12 FROM NEW YORK

29

7-49P

DIRECTOR AND SAC

U R G E N T

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT

JULIUS ROSENBERG, ESPIONAGE DASH R. JUDGE IRVING R. KAUFMAN THIS
A. M. SET NEW DATE OF EXECUTION FOR THE WEEK OF JUNE FIFTEEN NEXT.
EMANUEL BLOCH WAS NOT PRESENT IN COURT, BUT HIS FATHER, ALEXANDER
BLOCH, REQUESTED AN ADJOURNMENT FOR A FIXING A NEW DATE UNTIL TWO
P. M. ON JUNE FIRST NEXT. USA LUMBARD OPPOSED THIS APPLICATION,
STATING THAT THE SUPREME COURT HAD RECENTLY VACATED THE STAY AND
REFUSED TO GRANT AN ADDITIONAL STAY. HE STATED THAT IT NOW APPEARS
THAT IT IS THE INTENTION AND PLAN OF DEFENSE COUNSEL TO BRING ONE
MOTION AFTER ANOTHER TO DELAY THE CARRYING OUT OF THE SENTENCE
IMPOSED, AND THAT THE MOTIONS WERE FOR THE DELIBERATE PURPOSE OF
HAVING MORE TIME. MR. ALEXANDER BLOCH DIRECTED THE COURT-S
ATTENTION TO THE MEMORANDUM OF THE DEPARTMENT SUBMITTED TO CHIEF
JUSTICE VINSON WHEN IT OPPOSED THE APPLICATION FOR A STAY. HE
REQUESTED JUDGE KAUFMAN TO DEFER SETTING A DATE OF EXECUTION
UNTIL THE FIRST WEEK OF JULY. JUDGE KAUFMAN STATED HE WAS GOING TO
SET THE DATE TODAY AND HAD IN MIND WHAT WAS STATED TO JUDGE VINSON.
HE THEN FIXED THE WEEK OF JUNE FIFTEEN AS THE NEW WEEK OF EXECUTION.
THE JUDGE REMARKED THAT HE COULD NOT REMEMBER ANY CASE IN THE AMERICAN
COURTS THAT HAD RECEIVED MORE CARE AND ATTENTION AT ALL THE JUDICIAL
LEVELS THAN THIS INSTANT CASE NOR COULD HE REMEMBER WHEN DEFENDANTS

53 JUN 18 1953

RECORDED - 71

105-58236-1734
JUN 3 1953

END PAGE ONE

TWO COPIES WFO

WERE MORE VIGOROUSLY REPRESENTED THAN BY DEFENSE COUNSEL. IT IS
 LIKELY THAT THE MOTIONS TO BE HEARD ON JUNE FIRST NEXT WILL BE
 DENIED AS IT IS THE OPINION OF THE USA THAT THEY ARE WITHOUT MERIT.
 IN VIEW OF THIS IT IS LIKELY THAT BLOCH WILL BE FORCED TO MOVE QUICKLY
 AND MAKE ADDITIONAL MOTIONS FOR A NEW TRIAL ON THE GROUND OF NEWLY
 DISCOVERED EVIDENCE OR TO PROCEED AGAIN UNDER SECTION TWO TWO FIVE
 FIVE. IF THESE MOTIONS ARE DENIED IN THE DISTRICT COURT
 AND NO STAY GRANTED, THEY MAY BE DENIED IN THE CIRCUIT COURT
 WITHOUT A STAY. WFO IS REQUESTED TO MAKE ARRANGEMENTS WITH THE
 CLERK OF THE SUPREME COURT TO BE ADVISED OF ANY APPLICATION FOR A
 STAY THAT MAY BE PRESENTED TO ANY JUSTICE OF THE SUPREME COURT.
 THIS MAY NOT HAPPEN UNTIL AFTER DENIALS OF STAYS IN THE CIRCUIT
 COURT. IN THE EVENT THAT SUCH AN APPLICATION IS MADE, WFO IS
 REQUESTED TO TELEPHONICALLY ADVISE THE BUREAU AND NY IMMEDIATELY
 SO THAT STEPS CAN BE TAKEN TO OPPOSE SUCH APPLICATIONS.*

HOLD

CC: MR. BELMONT
 AND SUPERVISOR
 DOM. INTEL. DIVISION

BOARDMAN

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

MAY 27 1953

TELETYPE

WASHINGTON FROM NEW YORK 40 27 9-52 PM *
DIRECTOR URGENT

Mr. Tolson ☒
Mr. Ladd ☒
Mr. Nichols ☒
Mr. Belmont ☒
Mr. Clegg ☒
Mr. Glavin ☒
Mr. Harbo ☒
Mr. Rosen ☒
Mr. Tracy ☒
Mr. Gearty ☒
Mr. Mohr ☒
Mr. Winterrowd ☒
Tele. Room ☒
Mr. Holloman ☒
Mr. Sizoo ☒
Miss Gandy ☒

JULIUS ROSENBERG, ET AL, ESPIONAGE DASH R. AUSA KILSHEIMER ADVISED
TODAY THAT EMANUEL H. BLOCH FILED A NOTICE OF MOTION FOR LEAVE TO FILE
A PETITION FOR A WRIT OF MANDAMUS IN THE CIRCUIT COURT OF APPEALS RE-
TURNABLE ON JUNE ONE, NEXT. THIS PETITION ASKS THAT MANDAMUS BE
ISSUED DIRECTING JUDGE IRVING R. KAUFMAN TO RESENTENCE JULIUS AND ETHEL
ROSENBERG OR IN THE ALTERNATIVE DIRECTING JUDGE KAUFMAN TO RECONSIDER
HIS DECISION OF JANUARY TWO, LAST, DENYING ROSENBERGS APPLICATION FOR
REDUCTION OF SENTENCE AND FURTHER REQUESTING THAT AN ORDER BE MADE
STAYING THE EXECUTION OF THE ROSENBERGS PENDING THIS PROCEEDING.
KILSHEIMER FURTHER ADVISED THAT BLOCH ALSO SERVED A NOTICE OF MOTION
AND PETITION RETURNABLE IN THE DISTRICT COURT ON JUNE ONE, NEXT,
FOR AN ORDER VACATING OR CORRECTING THE SENTENCES OF DEATH ON THE GROUND

END OF PAGE ONE

53 JUN 18 1953

RECORDED - 71

165-58236-1735

JUN 3 1953

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

WASHINGTON 40 FROM NEW YORK

PAGE TWO

THAT THE SENTENCES ARE ILLEGAL IN THAT THEY ARE IN EXCESS OF THE MAXIMUM ALLOWED BY LAW IN THAT TITLE FIFTY, USC, SECTION THIRTY TWO A AND THIRTY FOUR PROVIDES A MAXIMUM PUNISHMENT OF TWENTY YEARS AND FURTHER ASKING FOR A STAY OF EXECUTION PENDING THE DETERMINATION OF THIS MOTION.

AUSA KILSHEIMER ADVISED THAT THESE MOTIONS WERE WITHOUT MERIT AND WILL BE VIGOROUSLY OPPOSED. HE FURTHER ADVISED THAT IT IS EXPECTED THAT THE ORDER OF THE SUPREME COURT DENYING SERT IS EXPECTED TO BE RECEIVED IN THE COURT OF APPEAL ON TWENTY EIGHT, NEXT, AND IMMEDIATELY UPON RECEIPT THE MANDAMUS OF THE CIRCUIT COURT WILL BE FILED IN THE DISTRICT COURT. HE FURTHER ADVISED THAT HE CAUSED TO BE SERVED ON BLOCH TODAY AN ORDER TO BE SUBMITTED TO JUDGE KAUFMAN ON THE TWENTY NINTH NEXT, SETTING A NEW DATE OF EXECUTION OF THE ROSENBERGS. COPIES OF THE ABOVE MOTIONS WILL BE SUBMITTED TO THE BUREAU UNDER SEPARATE COVER. BUREAU WILL BE ADVISED OF DEVELOPMENTS.

BOARDMAN

HOLD

CC: MR. BELMONT
~~AND SUPERVISOR~~
DOM. INTEL. DIVISION

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
AIR TEL

6/4/53, NY, NY

Transmit the following Teletype message to: BUREAU

JULIUS ROSENBERG ET AL, ESPIONAGE-R. REBULET 6/2/53, ADVISING
NEW HAVEN INFORMANT HAS REPORTED THAT DAVID GREENGLASS WAS
BEATEN UP AT LEWISBERG PENITENTIARY. NO INFO HAS COME TO
ATTENTION OF NY THAT WOULD INDICATE THAT DAVID GREENGLASS HAD
ATTEMPTED TO MAKE A STATEMENT THAT WOULD CLEAR HIS SISTER,
ETHEL ROSENBERG. NY IS IN CONSTANT AND DAILY CONTACT WITH RUTH
GREENGLASS AND ANY INFO OF THIS NATURE WOULD SURELY HAVE BEEN
REPORTED TO THIS OFFICE. IN THE EVENT INFO OF THIS NATURE
DOES COME TO ATTENTION OF NY, BU. AND PHILA. WILL BE PROMPTLY
ADVISED.

BOARDMAN

Registered -
3-Bureau (65-58236) (Regular Mail)
1-Philadelphia (Regular-Registered Mail)

JAH:RLR (#6)
65-15348

AIR-TEL to Philadelphia
6/8/53

APL/ann

65-58236-1736
9

RECORDED-80

ec Branigan

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT/SAR EX-104

Approved: LVB Jno
Special Agent in Charge

Sent _____ M Per _____

FD-36

Mr. Tolson	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Carson	
Mr. Egan	
Mr. Gurnea	
Mr. Harbo	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Mr. Winterrowd	
Tele. Room	
Mr. Holloman	
Miss Gandy	

[Handwritten signature]

URGENT
AIR-TEL

JUNE 8, 1953

SAC, PHILADELPHIA

RECORDED-80

65-58236-1736
JULIUS ROSENBERG, ET AL, ESPIONAGE - R. REBULET

6-2-53 REQUESTING CHECK OF YOUR SOURCES AT LEWISBURG
PENITENTIARY TO DETERMINE IF ANY SUBSTANCE TO
ALLEGATIONS RECEIVED FROM NEW HAVEN INFORMANT THAT
DAVID GREENGLASS WAS BEATEN UP BECAUSE HE ATTEMPTED
TO MAKE STATEMENT THAT WOULD CLEAR HIS SISTER,
ETHEL ROSENBERG. SUAIR-TEL RESULTS OF YOUR INQUIRY.

HOOVER

APL:awn *awn*

NOTE: New Haven informant recently reported receipt
of information from one [REDACTED] known
to informant as active Communist Party sympathizer,
set forth above. It is not believed above
information has any foundation in fact;
however, it is being checked out. *b7D*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

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Tracy _____
Gearty _____
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Winterrowd _____
Tele. Room _____
Holloman _____
Sizoo _____
Miss Gandy _____

COMM - FBI

JUN - 8 1953

MAILED 27

65-58236

63 JUN 29 1953

SAC, New York (65-15348)

June 8, 1953

Director, FBI (65-58236)

JULIUS ROSENBERG, et al.
ESPIONAGE - R

ReBulet 3-23-53 and your air-tel 4-3-53, concerning David Engelson.

You are requested to promptly report results of your investigation into the financial background of Engelson in an effort to trace his source of funds. You are also requested to advise of the effect, if any, his refusal to cooperate might have on his probationary status.

APL:rmc

NOTE: Source of unknown reliability reported that Rosenberg, prior to arrest, gave \$7,000 and a Leica camera to wife, Ethel, who turned it over to an unknown CP member. Engelson, known Communist and acquaintance of Rosenberg, is considered suspect for unknown CP member. Engelson pled guilty in December, 1952, to illegal dealing in gold in black market and received two years suspended sentence and probation. He has been cooperating with U. S. Secret Service against his coconspirators in black market. Engelson refused to be interviewed by Bureau Agents and has refused to answer pertinent questions before Federal Grand Jury concerning Rosenberg. In view of his probationary status, Bulet of 3-23-53 requested NYU to have USA inform probation officer of his attitude and determine whether same may be considered in revoking his probation.

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Holloman _____
 Sizoo _____
Miss Gandy _____

RECORDED - 59

JUN. 9 1953
130

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT/JAR

COMM - FBI
MAILED 30

65-58236-1737

WAB:1
REU

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT *WVC*

FROM : MR. W. V. CLEVELAND *WVC*

SUBJECT: JULIUS ROSENBERG, et al
ESPIONAGE - R
(Bufile 65-58236)

DATE: June 8, 1953

Tolson ☒

Ladd ☒

Nichols ☒

Belmont ☒

Clegg ☒

Glavin ☒

Harbo ☒

Rosen ☒

Tracy ☒

Gearty ☒

Mohr ☒

Winterrowd ☒

Tele. Room ☒

Holloman ☒

Sizoo ☒

Miss Gandy ☒

YH Supervisor Scott Miller of the New York Office telephonically advised at 1:20 P.M. that an order had now been signed before Judge Weinfeld asking for the same relief for Morton Sobell as was asked for the Rosenbergs in a motion filed last Saturday, i.e., for a new trial under Rule 2255 on the basis of newly-discovered evidence in the Rosenberg case. The motion is being made on the identical papers used in the Rosenberg motion and there are no new papers and no new allegations.

Judge Weinfeld has discussed this matter with Judge Kaufman and Judge Kaufman has told Judge Weinfeld that he sees no reason why he cannot hear and dispose of the motion at the same time as the Rosenberg motion. Miller pointed out that by handling it in this manner it would preclude any argument by the Government against the motion at this time. The Government has reserved the right, however, to furnish any additional information or arguments against the motion.

WVC:mer

RECORDED - 13

65-58236-1738

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JH

JUN 10 1953

ESP *WVC*

55 JUN 23 1953

UNRECORDED COPY FILED IN 101-21183-1

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. RELLONT

DATE: June 16, 1953

FROM : MR. C. E. HENNRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Tolson ☒
Ladd ☒
Nichols ☒
Belmont ☒
Clegg ☒
Glavin ☒
Harbo ☒
Rosen ☒
Tracy ☒
Mohr ☒
Tele. Rm. ☒
Nease ☒
Gandy ☒

Supervisor Dudley Payne, WFO, called at 11:39 a.m., June 16. He said that the defense attorneys have just asked the Clerk of the Supreme Court to determine if Justice Frankfurter will be available for a conference. The defense attorneys indicated that if Justice Douglas' action is unfavorable, they want to go to Justice Frankfurter in a further effort to obtain a stay of execution.

Supervisor Payne also advised that the petitions for writs of habeas corpus have been filed by attorneys Daniel Marshall and Fyke Farmer and have been presented to Justice Douglas for consideration.

ACTION:

For your information.
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 Pwr JAL

CEH:LL

63 JUN 23 1953 RECORDED - 23

65-58236-1739
13 JUN 16 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: June 16, 1953

FROM : MR. C. E. HENNRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

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Ladd _____
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Belmont _____
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Holloman _____
Gandy _____

Supervisor Tom McAndrews, NYO, advised on the morning of June 16 that information has been received that Ethel Rosenberg's mother will attempt to see Judge Kaufman some time today (6/16).

ACTION:

For your information.

CEH:LL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

RECORDED - 23

65-58236-1740

JUN 18 1953

55 JUN 23 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: June 16, 1953

FROM : MR. C. E. HENNRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Tolson
Ladd
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Laughlin
Mohr
Winterrowd
Tele. Rm.
Holloman
Gandy

Supervisor Dudley Payne, WFO, advised at 11:10 a.m., June 16, that Justice Douglas of the Supreme Court had just requested the Rosenberg defense attorneys to submit their petition for a stay of execution in writing. No further information is available at this time.

Supervisor Payne also advised that an attorney named Daniel G. Marshall, of Los Angeles, and attorney Fyke Farmer have appeared at the Supreme Court and are attempting to file petitions for writs of habeas corpus for the Rosenbergs. Their actions are being opposed by the Rosenberg defense attorneys.

ACTION:

For your information.
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3642 PWT-JAR

CEH:LL
cc-MR. NICHOLS

RECORDED - 23

INDEXED - 23

65-58236-1741

JUN 16 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: June 15, 1953

FROM : MR. C. E. HENRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

ASAC Howard Fletcher, WFO, advised at 6:40 p.m., June 15, that following the denial by the Supreme Court of the petition for a writ of habeas corpus, defense attorney Bloch had indicated his desire to talk to as many of the Justices as possible. He did confer for some time with Justice Douglas, who adjourned the conference with Bloch at 6:30 p.m. until 10:00 a.m., June 16.

ACTION:

For your information.

CEH:LL

cc-MR. NICHOLS

RECORDED - 23

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

65-58236-1742

JUN 18 1953

ESP

Office Memorandum • UNITED

VERNMENT

TO : THE DIRECTOR

DATE: June 15, 1953

FROM : MR. D. M. LADD

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R
(BuFile 65-58236)

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Gearty
Mohr
Winterrowd
Tele. Room
Holloman
 Sizoo
Miss Gandy

Most recent developments are:

1. Emanuel Bloch, Rosenbergs' attorney, appeared before Supreme Court Justice Jackson on 6-13-53 for stay of execution. Jackson heard arguments from both Bloch and the Government attorneys. Jackson then asked Bloch if he was ready to argue his application before the entire Court on 6-15-53. Bloch said he was. It was later determined that the Supreme Court ruled there would be no further oral argument on Bloch's application for a stay. It is expected that the Supreme Court will hand down a decision today.

2. [REDACTED] advised that Bernard Greenglass visited his sister, Ethel Rosenberg, at Sing Sing 6-13-53. Ethel was emotionally upset and allegedly stated "What does the Government want -- I don't know anything." [REDACTED] advised that Ethel was more aroused during this visit than she has been in a long time. b7CD

3. Information has been received from the Greenglass family that David Rosenberg, brother of Julius, who has been helping Bloch in this case, appears to have wavered in his belief of the Rosenbergs' innocence. He has indicated he might contact the FBI to be set straight on this situation. He reportedly advised Bloch of this and Bloch became very agitated and told David not to go to the FBI until after the Supreme Court's decision comes down on 6-15-53 and after Bloch has a chance to talk to David. Re

4. The Rosenberg children, accompanied by Mrs. Sophie Rosenberg, mother of Julius, appeared at the White House entrance 6-14-53. The children handed a letter to the White House guard on duty addressed to President Eisenhower asking for clemency for their parents.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PBT-JAR
RECORDED - 23

65-58236-1743
JUN 16 1953

APL:awn

UNRECORDED - UNCLASSIFIED

APL

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. D. M. LADD

FROM : MR. A. H. BELMONT

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

DATE: June 12, 1953

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/22/86 BY 3042 put-DJC

Tolson ✓
Ladd ✓
Belmont ✓
Clegg ✓
Glavin ✓
Harbo ✓
Rosen ✓
Tracy ✓
Gandy ✓
Mohr ✓
Winterrowd ✓
Tele. Room ✓
Holloman ✓
 Sizoo ✓
Miss Gandy ✓

Supervisor McAndrews, NYO, called at 9:50 a.m. today (6/12) to advise that [REDACTED] informed this morning that a secret meeting was held last night (6/11) in the basement of the residence of [REDACTED] Jamaica, Long Island, New York. Fifty people attended the meeting, including an attorney, [REDACTED] and [REDACTED] of the Daily Worker. The discussion indicated that the Communist Party will go all out for Julius and Ethel Rosenberg from now until June 18, the date of the execution; that all Communist Party activities other than this will cease. It was stated to those present that if Julius and Ethel talk, the Party will be connected as an agency for espionage in the United States and that, therefore, each and every person present at this meeting could be considered guilty of espionage. The people in attendance were told that the lives of Julius and Ethel Rosenberg must be saved at all costs. b2 b7D

Mr. McAndrews advised that they had not had an opportunity to check their files on [REDACTED] or the other persons mentioned, but were doing so. He said they were also contacting the informant, who had furnished this information telephonically.

I told Mr. McAndrews that it is important, for proper evaluation of this information, to know who was present at the meeting; was it a policy group of the Communist Party or merely a section meeting. I requested that the results of the personal interview with the informant be furnished to the Bureau promptly and that any additional names or details obtained from the informant be checked against the NYO files and the results furnished to the Bureau at once. Re

ACTION:

We will check these names to identify the subjects and, upon receipt of the additional information from New York, permitting proper evaluation of this information, we will disseminate it.

AFB:LL

RECORDED - 94

JUN 16 1953

13

Office Memorandum

• UNITED STATES GOVERNMENT

• UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

FROM : MR. C. E. HENRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

DATE: June 15, 1953

Tolson ✓
Ladd ✓
Nichols ✓
Belmont ✓
Clegg ✓
Glavin ✓
Harbo ✓
Rosen ✓
Tracy ✓
Gandy ✓
Mohr ✓
Winterrowd ✓
Tele. Room ✓
Holloman ✓
 Sizoo ✓
Miss Gandy ✓

Supervisor Dudley Payne, WFO, called at 4:25 p.m., June 15. He advised that in connection with the motion for a writ of habeas corpus which was filed before the Supreme Court today (6/15), the grounds are as follows:

1. That the Rosenbergs were convicted without due process of law in violation of the Fifth Amendment.
2. That perjured testimony of certain witnesses was used which could not have been innocently accepted by the prosecution. Specific reference was made to Greenglass's testimony.
3. That the death sentence should only have been given had secret information actually been transmitted to the Soviet Union.
4. Lack of intelligence and education of David Greenglass to pass information concerning the processes involved in making the A-bomb.

ACTION:

For your information.

You will be advised of the action of the Supreme Court.

ll
CEH:LL

cc-Mr. Nichols

RECORDED - 25

65-14236-1745

JUN 16 1953

62 JUN 23 1953

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-25-86

3042 PWT-JAR

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

FROM : MR. C. E. HENNRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

DATE: June 11, 1953

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Laughlin
Mohr
Winterrowd
Tele. Rm.
Holloman
Gandy

ASAC Whelan, NYO, called at 5:27 p.m., June 11 and advised that the Circuit Court of Appeals, Second Circuit, New York, had just affirmed the action of Judge Kaufman in denying a new trial to the Rosenbergs. At the same time, it denied the application for a stay of execution.

ACTION:

For your information.

CEH:LL

RECORDED - 67

cc-MR. NICHOLS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PUT-JAR

JUN 23 1953

65-58236-1746

MAR

Office Memorandum

UNITED STATES GOVERNMENT

TO : D. M. Ladd

DATE: June 13, 1953

FROM : A. H. Belmont

SUBJECT: JULIUS ROSENBERG
ET AL
ESPIONAGE-R

Tolson _____
 Boardman _____
 Belmont _____
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 Rosen _____
 Tracy _____
 Gearty _____
 Mohr _____
 Winterrowd _____
 Tele. Room _____
 Holloman _____
 Sizoo _____
 Miss Gandy _____

Supervisor Tom McAndrews called me from New York about noon, June 13, 1953, to advise that Fyke Farmer, attorney, filed a sixty-page petition for a writ of habeas corpus before Judge Dimock today requesting the release of Julius and Ethel Rosenberg.

Farmer has tried to file papers before in this case. He is a country attorney from Tennessee who has interested himself in the case. Farmer claims that he had certain points of law he wanted Attorney Bloch to bring up during the various proceedings in this case but Bloch refused to do so, therefore, Farmer wants to act as an independent attorney.

McAndrews said that the petition appears to be unimportant; that Judge Dimock has indicated that he is going to refer it to Judge Kaufman for disposal on Monday.

One of Farmer's points was that the Rosenbergs were denied a fair trial as Exhibit 8 was impounded and witnesses were excluded. Exhibit 8 is the sketch prepared by Greenglass on the atomic bomb. It was impounded and witnesses excluded on a defense motion.

Assistant Attorney Kilsheimer is looking the petition over.

ACTION:

I told McAndrews to get a copy of the petition, examine it and advise the Bureau by teletype of its contents and the results of the New York analysis of it.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7-25-86 BY 3042 PWT-JAR

AHB:vhh

RECORDED - 23

62-36-1747

JUN 16 1953

JUN 23 1953

cc . J. Branigan

Office Memorandum • UNITED STATES GOVERNMENT

TO : A. H. Belmont

DATE: June 16, 1953

FROM : L. H. Martin *LHM*SUBJECT: JULIUS ROSENBERG, et al.,
ESPIONAGE - R

Tolson ☒
Ladd ☒
Nichols ☒
Belmont ☒
Clegg ☒
Glavin ☒
Harbo ☒
Rosen ☒
Tracy ☒
Gandy ☒
Mohr ☒
Winterrowd ☒
Tele. Room ☒
Holloman ☒
 Sizoo ☒
Miss Gandy ☒

Night Supervisor Doran, New York office, called at 10:30 p.m., 6-15-53 and advised that Assistant U.S. Attorney James B. Kilscheimer III had called the office to talk to SA John Harrington. Kilscheimer mentioned that the Department had instructed him to be in Washington, D.C. on 6-16-53. He will be in touch with the Solicitor General and with Mr. Erdahl in the Department.

RECOMMENDATION:

None. For your information.

LHM:jdb *jdb*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JR

RECORDED-107
INDEXED-107

65-58236-1748

JUN 16 1953

~~ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED~~

The Attorney General

June 16, 1953

Director, FBI

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE
INTERNAL SECURITY - C
(FBI File 100-387835)

Julius Rosenberg

A confidential source has advised that Don Rothenberg, an officer of subject committee, had discussed with Bernard Burton of the "Daily Worker" a mass demonstration which will take place in Washington, D. C., on Thursday, June 18, 1953, the execution date for the Rosenbergs. According to this source, the demonstration has two objectives:

- (1) To build the largest possible picket line in front of the White House.
- (2) To call on as many Congressmen as possible.

Rothenberg stated that the subject committee was calling on everyone possible to come to Washington on June 16 and 17, 1953, to participate in the picketing. He pointed out to Burton that the picketing in front of the White House on June 18, 1953, is a "must," and that the picketing will continue up until the time of the execution of the Rosenbergs.

The Honorable Robert Cutler, Administrative Assistant to the President, is being advised of the above information.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWS-JAP

165-58236 - ✓
NOT RECORDED
44 JUN 18 1953

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gearty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
 Sizoo _____
Miss Gandy _____

cc - 1 - Assistant Attorney General
Warren Olney III

NOTE: Supervisor Payne of the WFO advised that on 6-15-53, he reported the above information to the Secret Service detail at the White House, the Metropolitan Police Department and the U. S. Park Police.

APL:awn

cc - 65-58236

56 JUN 19 1953

YELLOW
DUPLICATE
JUN 17 1953
MAILED

INITIALS OR ORIGINAL

~~SECURITY INFORMATION-CONFIDENTIAL~~

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

NEW YORK

~~CONFIDENTIAL~~
~~SECRET~~

REPORT MADE AT BALTIMORE	DATE WHEN MADE 6/11/53	PERIOD FOR WHICH MADE 6/8/53	REPORT MADE BY EDWARD L. TIMMERMAN fas
TITLE JULIUS ROSENBERG, ET AL			CHARACTER OF CASE ESPIONAGE - R

SYNOPSIS OF FACTS:

HERMAN B. HOOPES, President of the Brandt Cabinet Works, Inc., Hagerstown, Maryland, in affidavit dated 6/8/53, advised that on 4/2/53 SA E. LAWRENCE HYLAND displayed to him a group of photographs of a Georgian Double Top Console manufactured by his company. Mr. HOOPES advised photographs disclosed number 4046 stamped on the under surface of table. The number 40 indicates to HOOPES that this table was designed and manufactured in 1940 and the number 46 indicates this was the 46th pattern introduced in 1940. Mr. HOOPES advised first shipment of this pattern made during week of 4/22/40 and last shipment made during week of 7/20/49. During this period 4,004 console tables, pattern 4046, shipped to approximately 2,000 customers of Brandt throughout the United States.

DETAILS: HEREIN IS CONTAINED BY 3042 PWT-JAR
7-25-86

Mr. THOMAS V. KELLY, Legal Department, Macys Department Store, New York City, advised SAS ROBERT F. ROYAL and JOHN A. HARRINGTON on 3/13/53 that EMANUEL H. BLOCH, attorney for the ROSENBERGS, had requested that Macys identify a console table as one that had been sold by the store. Mr. BLOCH, through an assistant, LEON SUMMIT, delivered to Mr. KELLY's office six photographs of a console table. Mr. KELLY advised that these photographs were examined by a representative of Macys and it was determined that this table is a type and style which was handled and sold by Macys in the Furniture and Occasional Furniture Department. Mr. KELLY stated that the photographs disclosed the markings N N 4046-760-F4-1997 on the under side of the table.

APPROVED AND FORWARDED <i>S.S.A. [Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
COPY IN FILE		RECORDED - 85 INDEXED - 85
COPIES OF THIS REPORT ① Bureau (65-58236) Regis. Mail 1 Albany (Info) Regis. Mail 3 New York (65-15346) Regis. Mail 2 Baltimore (65-1763) COPIES DESTROYED 436 NOV 10 1960		

PROPERTY OF FBI—THIS CONFIDENTIAL REPORT AND ITS CONTENTS ARE LOANED TO YOU BY THE FBI AND ARE NOT TO BE DISTRIBUTED OUTSIDE OF AGENCY TO WHICH LOANED.

AT HAGERSTOWN, MARYLAND

On June 8, 1953 Mr. HERMAN B. HOOPES, President and General Manager of the Brandt Cabinet Works, Inc., 678 Pennsylvania Avenue, Hagerstown, Maryland, was interviewed at his office by the writer and SA E. LAWRENCE HYLAND. Mr. HOOPES executed the following affidavit:

"STATE OF MARYLAND

COUNTY OF WASHINGTON

"I, Herman B. Hoopes, being duly sworn, deposes and says:

"I reside at 830 The Terrace, Hagerstown, Maryland and am President and General Manager of The Brandt Cabinet Works, Inc., 678 Pennsylvania Avenue, Hagerstown, Maryland. As President of this Company, I am familiar with the type of products, business practices and records of the Company.

"On April 2, 1953, Special Agent E. Lawrence Hyland of the Federal Bureau of Investigation displayed to me a group of photographs of a Georgian Double Top Console or Card Table manufactured by The Brandt Cabinet Works, Inc. The photographs showed, stamped on the under surface of the lower top, were the numbers 4046. The numbers 40 indicate to me that this Console Table was designed in the year 1940 and first manufactured in the year 1940. The numbers 46 indicate to me that this was the 46th pattern introduced in that year. There were other marks on this table which were placed there by persons other than employees of The Brandt Cabinet Works, Inc.

"Records of The Brandt Cabinet Works, Inc. in my custody disclose that the Console Table, pattern number 4046, was first manufactured in 1940. The first shipment of this pattern was made from The Brandt Cabinet Works, Inc. during the week of April 22, 1940. The last shipment of this pattern was made from The Brandt Cabinet Works, Inc. during the week of July 20, 1949. During this period 4,004 Console Tables, pattern 4046, were shipped to approximately 2,000 customers of The Brandt Cabinet Works, Inc. Our customers consist of retail furniture stores and department stores scattered throughout the United States.

"Sworn to before me
this 8th day of June 1953

/s/ Frank L. Fiery
NOTARY PUBLIC

/s/ Herman B. Hoopes
Herman B. Hoopes

"My Commission expires May 2, 1955"

INITIAL

Mr. HOOPES advised that he has been in the furniture business for over fifteen years, and since March, 1941 has been the President and General Manager of the Brandt Cabinet Works, Inc., Hagerstown, Maryland. He informed that the records of his company disclose that pattern number 4046 was a new design and that manufacture of this pattern was initiated April 15, 1940.

Mr. HOOPES informed that the markings 4046 appearing in the photographs displayed to him by SA HYLAND on April 2, 1953 were placed on the under surface of the lower top, by employees of the Brandt Cabinet Works, Inc. Mr. HOOPES explained that it is the practice of Brandt Cabinet Works, Inc. to place the markings in white ink and not with crayon or chalk. Mr. HOOPES recalled that the letters N N and the figures 760 also appeared in the photographs of the console table displayed to him.

Mr. HOOPES stated that Macys of New York had been customers of the Brandt Cabinet Works, Inc. since 1928. During this period of time, he, HOOPES, has consulted with officials of Macys on numerous occasions and through this business association has learned that the letters indicate Macys Occasional Furniture Department, and the figures 760 indicate the code number assigned by Macys to the Brandt Cabinet Works, Inc.

Mr. HOOPES advised that in July, 1948 Brandt started to stamp in white ink the job order number, in addition to the pattern number, on all furniture manufactured by them. The job order number which discloses the exact month and year the furniture was manufactured is stamped directly over the pattern number. Mr. HOOPES could not recall seeing the job order number over the pattern number 4046 in the photographs viewed by him, indicating to him that this table was made prior to July, 1948.

Mr. HOOPES advised that there are no records available at the Brandt Company to show the exact date the console table appearing in the photographs was made at the Brandt Cabinet Works, Inc., Hagerstown, Maryland, or shipped by this company.

-RUC-

BA 65-1763

ADMINISTRATIVE

Two copies of the affidavit set forth in this report were mailed to the New York Office with relet dated 6/8/53.

A copy of this report is being sent to Albany for information, in view of the fact that the ROSENBERGs are presently located at Sing Sing Prison.

REFERENCES: Telephone calls between New York and Baltimore,
6/8/53
Baltimore letter to Bureau dated 6/8/53
Baltimore teletype to Bureau and New York, 6/8/53.

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: June 12, 1953

FROM : MR. C. E. HENNRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Tolson	_____
Ladd	_____
Nichols	_____
Belmont	_____
Clegg	_____
Glavin	_____
Harbo	_____
Rosen	_____
Tracy	_____
Gearty	_____
Mohr	_____
Winterrowd	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

Supervisor Dudley Payne, WFO, advised at 2:20 p.m., June 12, that information has been received that defense attorney Emanuel Bloch has filed an application for a stay of execution before the Supreme Court. This application is based on the petition presently pending before the Court for a rehearing on the denial of certiorari.

The WFO has been informed that the procedure in handling this application will be that it will be given to Justice Jackson tomorrow (6/13). Jackson is assigned to handle such matters for the Second Circuit. In the event Jackson is not there, Chief Justice Vinson will assign the matter to another Justice. The Justice who has the matter assigned to him can either act himself or take the matter before the full Court for action. In any case, such action would probably not be before Monday, June 15. In the event the Justice who has the matter first assigned acts independently, then the defense attorney can take the application "shopping" to other Justices. In view of this, the matter will probably be presented to the whole Court.

ACTION:

For your information.

CEH:LL

cc-MR. NICHOLS

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HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

RECORDED-141

165-58036-1750
13 JUN 16 1953

ESP SEC

JUN 23 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. D. M. Ladd *DL*
 FROM : Mr. A. H. Belmont *AB*
 SUBJECT: JULIUS ROSENBERG, et al
 ESPIONAGE - R

DATE: June 15, 1953

Tolson _____
 Ladd _____
 Clegg _____
 Glavin _____
 Rosen _____
 Tracy _____
 Harbo _____
 Belmont _____
 Mohr _____
 Tele. Room _____
 Nease _____
 Gandy _____

At 4:19 p. m., June 14, 1953, Mr. J. J. McGuire telephonically advised Special Agent Wesley T. Whaley that Judge Kaufman had just advised him that he had heard on the radio that the Supreme Court was going to grant a rehearing tomorrow on the Rosenberg case. Judge Kaufman wanted to know what this was all about. Mr. McGuire further advised that Roy Cohn, the former Assistant United States Attorney from New York, was with Judge Kaufman on 6/14/53. Special Agent Dudley Payne of the Washington Field Office was contacted in this matter and advised that when the Supreme Court adjourned on 6/13/53 no decision had been made in this matter, and no decision would be made until Monday, June 15, 1953.

Special Agent Thomas J. McAndrews of the New York Office was contacted and advised that he had no further information concerning this matter other than that furnished at 3:40 p. m. on June 13, 1953, which stated that Mr. Willy, Clerk of the United States Supreme Court, will hear no further oral arguments on Attorney Bloch's application. Mr. McAndrews also advised that Special Agent R. L. Schroeder had heard on the radio at 3:00 p. m. a news broadcast in this matter stating that a "decision would be handed down tomorrow."

Special Agent McAndrews also advised that he would attempt to contact AUSA Kilsheimer and determine if he had any further information in this matter.

The above information was furnished to Mr. J. J. McGuire at 5:20 p. m. Mr. McGuire advised that he would furnish this information to Judge Kaufman.

RECOMMENDATION:

This is for your information.

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 DATE 7-25-86 BY 3042 PWT-JAL
 100-15-141

65-58236-1751

JUN 16 1953

WTW:amc

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

DATE: June 15, 1953

FROM : MR. C. E. HENRICH

SUBJECT: JULIUS ROSENBERG;
ETHEL ROSENBERG
ESPIONAGE - R

Tolson	✓
Ladd	✓
Nichols	✓
Belmont	✓
Clegg	✓
Glavin	✓
Harbo	✓
Rosen	✓
Tracy	✓
Laughlin	✓
Mohr	✓
Winterrowd	✓
Tele. Rm.	✓
Holloman	✓
Gandy	✓

The Washington Field Office advised at 2:12 p.m., June 15, that the Supreme Court had denied the application for stay of execution for the Rosenbergs. They advised that immediately thereafter defense attorneys had applied orally for a habeas corpus, and Chief Justice Vinson indicated that the Court would accept the application, following which a written motion was filed. All copies are in possession of the Supreme Court except one which is in the possession of the Solicitor General. It was understood that this habeas corpus was in connection with Harold C. Urey's statement.

ACTION:

ALL INFORMATION FOR YOUR INFORMATION.

HEREIN IS UNCLASSIFIED

DATE 7-26-86 BY 3042 PWT-JAR

RECORDED - 67

65-58236-1752

JUN 16 1953

CEH:LL

cc-MR. NICHOLS

JUN 19 1953

Liberty
ESP

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. D. M. LADD

DATE: June 15, 1953

FROM : MR. A. H. BELMONT

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gandy _____
Winterrowd _____
Tele. Room _____
Holloman _____
 Sizoo _____
Miss Gandy _____

At 12:00 noon, June 15, I received a call from ASAC Whelan, NYO, relative to the contact with Professor Sidney Hook concerning letter received by the NY "Daily News," signed "Greco." Whelan advised that Professor Hook is completely cooperative and felt that perhaps this might be another trick of the Rosenbergs in connection with the current execution. He thought it even might be an attempt to embarrass him, because of his known anti-Communist activities.

Professor Hook suggested that the advertisement read: "Greco - Get in touch with the man you trust in Brooklyn to make arrangements for meeting." He said he preferred not to be referred to as a "friend."

I told Mr. Whelan that this was satisfactory and that he should go ahead and insert the advertisement and maintain close contact with Professor Hook. Professor Hook said that if he was contacted by Greco, he would immediately notify the NYO and would arrange to meet Greco in his offices.

AHB:LL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-26-86 BY 3042 PWT-JAR

RECORDED - 94
INDEXED - 94

65-18236-1753
JUN 16 1953

JUN 20 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: June 12, 1953

FROM : MR. D. M. LADD *DL*SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R
(BuFile 65-58236) *✓*

Tolson ☒
Ladd ☒
Nichols ☒
Belmont ☒
Clegg ☒
Glavin ☒
Harbo ☒
Rosen ☒
Tracy ☒
Gearty ☒
Mohr ☒
Winterrowd ☒
Tele. Room ☒
Holloman ☒
 Sizoo ☒
Miss Gandy ☒

Most recent developments are:

1. On June 11, 1953, the U. S. Court of Appeals, Second Circuit, affirmed Judge Kaufman's denial of Rosenbergs' motion for new trial. This Court also denied their application for a stay of execution.

2. A radio broadcast today reported that Emanuel Bloch, the Rosenbergs' attorney, will ask the U. S. Supreme Court for a stay of execution to afford him time to appeal to that Court the Circuit Court's denial to him of a new trial.

3. A New York informant has advised that Betty Gannet and George Blake Charney, Communist Party functionaries, are in hourly contact with the National Committee to Secure Justice in the Rosenberg Case. Gannet and Charney are reportedly attempting to raise immediately \$3,000 for this Committee at its request.

4. Three hundred to five hundred people are expected to board a special train of the B&O Railroad leaving Jersey City, New Jersey, at 7:30 AM, Eastern Standard Time, June 14, 1953, and will arrive in Washington 11:55 AM, to participate in demonstration to save Rosenbergs.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

APL:awn *awn*RECORDED - 16
INDEXED - 16

13 JUN 16 1953

JUN 23 1953

APL *rw*
-17548
air
mi

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. D. M. LADD

DATE: June 12, 1953

FROM : MR. A. H. BELMONT

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - RTolson _____
Ladd _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Winterrowd _____
Tele. Rm. _____
Holloman _____
Gandy _____

On the morning of June 12, 1953, Supervisor McAndrews of the NYO advised that defense attorney Bloch has indicated he is going to try to see Justice Black of the Supreme Court on Monday, June 15, at his home or, in his absence, Justice Douglas at his home, for the purpose of getting a stay of execution or further hearing in the Rosenberg matter. Mr. McAndrews advised that this information was picked up at Sing Sing during a discussion between the two Rosenbergs.

RECORDED-14

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

165-58236-1755

JUN 16 1953

JUN 23 1953

ESP

2:14

June 15, 1953

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. BELMONT
MR. NICHOLS

Attorney General Brownell called to advise that the court had refused to stay the execution of the Rosenbergs. I told the Attorney General that I believed we should arrange to have someone stay with him and his family between now and the execution date. He stated that some of the children were presently in New York and I commented that I doubted any demonstration or action would be taken against them in New York but I felt there might be against the family here in the District of Columbia. The Attorney General stated he believed the ones in New York could be ignored but that Mrs. Brownell and Jimmy were here. I stated we would arrange to take care of the house here and the Attorney General wondered whether Mrs. Brownell should be advised and I told him she should be. He commented that she was arriving in Washington on the 3:05 plane so he would probably not get in touch with her until she got out to the house. The Attorney General was advised that we would have Agents out there within the next hour and they would probably contact Mrs. Brownell and make whatever arrangements are necessary. The Attorney General expressed his appreciation.

Very truly yours,

JEH
John Edgar Hoover
Director

RECEIVED FROM E. S.
TIME 3:22 PM
DATE 6-15-53
BY JEH

RECORDED - 71

165-58236-1776

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gearty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
 Sizoo _____
Miss Gandy _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

cc-Mr. Holloman

JEH:EH

UNRECORDED COPY FILED IN 62-98585-1

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

DATE: June 11, 1953

FROM : Mr. Belmont

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gandy _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
Nease _____
Gandy _____

Shortly after 6:00 p.m., on June 11, 1953, SAC. Boardman called from New York to advise that United States Attorney Lumbard had called him to state that he was thinking of sending three Assistant United States Attorneys to Sing Sing on the date of the Rosenberg execution, namely, Lloyd MacMahon, James Kilsheimer, and Robert Martin. He said they were best informed in the case. He said he understood that the United States Marshal was going to be there also.

He inquired whether the New York Office was going to have Bureau Agents at Sing Sing. Boardman replied that he was sure the Bureau would have some views on this matter and he would be guided by the Bureau's views. Lumbard asked that when this was decided that he be advised. Boardman told him that if there were any development which should be furnished to Lumbard, he would call him. Boardman said that he was not going to call Lumbard back and he would not make any comment without instructions from the Bureau.

I told Mr. Boardman that if Lumbard calls back, to advise him that this whole matter is being considered by the Attorney General and, therefore, if he has any questions concerning it he should communicate with the Department.

Right
S.
Litr
H

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

AHP:mar

RECORDED - 23

65-1411-1757
JUN 12 1953

JUN 12 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: June 10, 1953

FROM : L. B. Nichols

SUBJECT: ETHEL AND JULIUS ROSENBERG

Tolson
Ladd
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Gearty
Mohr
Winterrowd
Tele. Room
Holloman
 Sizoo
Miss Gandy

I have been confidentially advised ([REDACTED]) that Ben Sonnenberg, the New York Public Relations Counselor, is supposed to be receiving five thousand dollars a month and is handling the public relations for the Rosenbergs. He is supposed to have been the one who dreamed up the letter which the Rosenberg children sent to the President.

Sonnenberg is also supposed to have handled Mr. Stevenson during the recent Presidential campaign. He is a friend of Emanuel Bloch, and during the Truman Administration was able on occasion to arrange for clients to be invited to private dinners at the White House with the President.

cc: Mr. Ladd
Mr. Belmont

LBN:arm

✓ *smc*
Send memo to A.G.

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HEREIN IS UNCLASSIFIED
DATE 11/7/86 BY 3042 pwt-BYC

memo to the Atty General
6/15/53

APL/awm

RECORDED-86

165-58236-1758
JUN 18 1953
17

5. sm

SEARCH SLIP

Supervisor Pittanto Room 1736

Subj: Ben Sonnenberg

☒ Exact Spelling
☒ All References
☐ Subversive Ref.
☐ Mail File
☐ Restricted to Locality of

Searchers
 Initial puw
 Date 6-12-53

FILE NUMBER

SERIALS

~~65-58367-289~~
~~65-5793-1069, 989, 994~~
~~4444, 744~~
~~100-202315-610, 244~~
~~I p. 47, 48, 51; 561, p. 9~~
~~100-345681-82, 244~~
~~45, 46, 48, 56, 53, 54, 56~~
~~483, p. 20~~
~~100-89886-158, 363~~
~~82-83626-174~~
~~100-368309-1~~
~~102-95149-34-A, 100~~
~~Post 344-10~~
~~100-391065-2-NT~~
~~100-7061-923~~
~~101-4932-221-I~~
~~101-874-73-encl p. 9, 10~~
~~75~~
~~102-31615-A-1124, Post~~
~~1124/52~~

ALL INFORMATION CONTAINED
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 DATE 7-25-80 BY 3042 HX-542

NUMEROUS REFEE

6-220

SEARCH SLIP

Supervisor Litrents Room 1736

Subj: Benjamin Sonnenberg

☒ Exact Spelling
☒ All References
☐ Subversive Ref.
☐ Mail File
☐ Restricted to Locality of

Searchers
Initial PLW
Date 6-12-53

FILE NUMBER

SERIALS

~~100-362309-5~~
~~100-57453-154~~ p. 25
~~101-4732-22~~ Dup. page 1
~~65-58367-262~~
~~105-11854-131~~
~~64-992-106~~ 262
~~62-28436-101~~
~~100-57453-475~~ p. 137, 138
~~42-267-15~~
~~62-95147-34A~~ What Prot
~~3-15149~~ What Times
~~Nerald 3-15149~~ 67C

~~100-195291-231~~
~~100-87826-354~~ 510
~~65-11434-30~~
~~116-176161-71~~
~~100-33375-3-9~~ NT
~~65-56402-762~~ p. 12
~~65-1-874-93~~ 10
~~65-34681-1~~
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5th (2) win Initialed

SEARCH SLIP

Supervisor Lichten Room 1736Subj: Benjamin Sonnenberg

☒ Exact Spelling
☒ All References
☐ Subversive Ref.
☐ Mail File
☐ Restricted to Locality of _____

Searchers
Initial sur
Date 6-12-53

FILE NUMBER

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45-5793-1089 Dupe
P.1

NR

B.

100-379762 NT

121-874-73 incl. p. 9, 10,

15 Dupe p. 2

Written
(3)

Initialed

The Attorney General

June 15, 1953

RECORDED-86
INDEXED-86

Director, FBI

65-58236-1758

JULIEN ROSENBERG, ET AL
ESPIONAGE - R
(FBI File 65-58236)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/22/86 BY 3042 Jut-DK

Information has been confidentially received from a source believed to be reliable that one Ben Sonnenberg, a public relations counselor in New York City, is allegedly receiving \$5,000 a month to handle public relations for the Rosenbergs. Sonnenberg reportedly proposed the idea of having the Rosenberg children send a letter to President Eisenhower requesting clemency for their parents. According to this source, Sonnenberg is a friend of Emanuel Bloch, attorney for the Rosenbergs. This source further advised that during the Truman administration Sonnenberg was able to arrange for aliens to be invited to private dinners with the President at the White House, and that during the presidential campaign Sonnenberg handled public relations for Adlai Stevenson.

SUMMARY

A check of our files reveals the following information on Benjamin Sonnenberg, also known as Ben Sonnenberg, who is believed identical with the above-mentioned individual. Sonnenberg was born July 12, 1901, at Brest-Litovsk, Poland, the son of Harry and Ida (Bader) Sonnenberg. He first became employed as a reporter on the "Daily Journal," Flint, Michigan, and later in 1922 became a member of the American Relief Administration in Constantinople. During 1923 and 1924, he was employed as a foreign correspondent for American newspaper services in Europe. During 1928, he organized a public relations bureau in New York City and since 1927, he has been president of Publicity Consultants, Inc., 247 Park Avenue, New York City. He resides at 19 Gramercy Park, New York City. In connection with his public relations work he has represented such organizations as Pan American Airways, the Philip Morris Company, Lever Brothers, Beecham Company, and the Sperry Corporation. (Who's Who in America, 1950-51).

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Gearty
Mohr
Winterrowd
Tele. Room
Holloman
 Sizoo
Miss Gandy

APL:awnawn

MAILED 6
JUN 24 1953
COMM-FBI

RECEIVED
DIRECTOR
JUN 15 3 31 PM '53
U.S. DEPT. OF JUSTICE

~~SECURITY INFORMATION-CONFIDENTIAL~~

[REDACTED] b7D
(100-202315-610, page 17)

[REDACTED] b7D
(101-4732-22)

Sonnenberg was public relations representative for Serge Rubenstein, who was engaged in wide financial transactions in the United States during the 1940's and was convicted for violating the Selective Service Act. (65-5793-745)

Sonnenberg has also been associated with Alfred K. Stern, contributor to and member of numerous Communist Party front groups and a contact of known Communist Party members. (100-57453-154, page 28)

During the latter part of May, 1949, Dorothy Perera contacted numerous persons to persuade them to attend a meeting at the home of Sonnenberg on June 1, 1949. Dorothy Perera and her husband, Lionel Perera, Jr., were active in the National Council of American Soviet Friendship, the American Russian Institute, the Committee for Democratic Far Eastern Policy and other Communist Party front organizations. (100-345681-22) b7D

~~SECURITY INFORMATION-CONFIDENTIAL~~

67D

[REDACTED]

(100-368309-1)

The Washington Post of March 15, 1949, reported that Clendenin J. Ryan asserted that he had been offered the ambassadorship to France if he would call off the fight to oust New York Mayor William O'Dwyer. The article stated that Ryan had informed reporters he had been offered a "bribe" of ambassadorship by public relations executive Benjamin Sonnenberg. Ryan stated that he asked Sonnenberg to put the offer in writing. In connection with Ryan's allegations, Sonnenberg stated "Of course, I never did any such thing nor have I had any contact with Mr. Ryan since I helped him on a property case last year." (62-75147-34a)

The January 25, 1950, edition of "Variety" contained an article which was devoted to the association which existed between Charles Luckman of Lever Brothers and Sonnenberg. It mentioned that Sonnenberg's association with Luckman had transcended that of a public relations counselor, stating that Sonnenberg had played a key role on the Washington front resulting in President Truman's appointing Luckman to the chairmanship on Civil Rights, current membership on the President's Committee on Equality of Treatment and Opportunity, and Luckman's appointment as chairman of the National Jefferson-Jackson dinner of 1950. (100-368309-1)

The April 8, 1950, issue of "New Yorker" magazine contained an article concerning Sonnenberg which revealed that Sonnenberg entertained lavishly and that his guests had included such persons as Somerset Maugham, Rebecca West, Dorothy Thompson, Quentin Reynolds, Senator Brien McMahon, Thurman Arnold, Morris Ernst, Leonard Lyons, Samuel Grafton, Frederic March, Florence Eldridge, Walter Duranty, and Lauchlin Currie. According to this article, Sonnenberg has been received at the White House and has dined with Mrs. Perle Mesta. (100-368309)

~~CONFIDENTIAL~~
~~SECURITY INFORMATION-CONFIDENTIAL~~

During February, 1953, Sonnenberg was in contact by telegraph with Stephen Laird concerning a job that Laird was seeking with the Hilton Hotels Corporation in the capacity of a public relations man. Laird, who is currently residing in London, England, is the subject of an espionage investigation being conducted by this Bureau on the basis of information from a source of known reliability that Laird is or may have been a Soviet espionage agent. Whittaker Chambers has described Laird as an avowed Communist. Reliable sources have advised that Laird's current wife, as well as his two previous wives, have been members of the Communist Party. From 1938 to 1944, Laird was a correspondent for "Time" magazine, and from 1945 to 1951, he was employed by the Columbia Broadcasting System. He was employed with various United Nations organizations in Europe from 1951 to January, 1953. (65-58367-262)

The foregoing is for your information.

cc - 1 - Assistant Attorney General
Warren Olney III

~~CONFIDENTIAL~~ 10/20/75
~~CONFIDENTIAL~~

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. D. M. Ladd

FROM : Mr. A. H. Belmont

SUBJECT: JULIUS ROSENBERG, et al
ESPIONAGE - R
Bufile 65-58236

DATE: June 13, 1953

Tolson ✓
Belmont ✓
Clegg ✓
Glavin ✓
Harbo ✓
Rosen ✓
Tracy ✓
Gearty ✓
Mohr ✓
Winterrowd ✓
Tele. Room ✓
Holloman ✓
 Sizoo ✓
Miss Gandy ✓

With reference to a letter received by the New York "Daily News" postmarked June 11, 1953, from an individual who signed his name as "Greco" and claiming that he had information concerning espionage as reported in New York teletype dated 6/13/53, attached hereto. I telephonically contacted the New York Office at 12:50 p.m. this date, and spoke with Supervisor T. Scott Miller and issued the following instructions:

I told Miller that Professor Sidney Hook should be immediately contacted by New York agents. He should be told about the receipt of a letter by the "Daily News" and the contents of this letter. He should be further told that we are interested in receiving any information that this "Greco" may have. It should be pointed out to Professor Hook that because of the seriousness of the allegations in this letter it is a matter of FBI responsibility to get the facts and that this matter must be kept confidential. It should also be pointed out to Professor Hook that we are in no position to make any promises of immunity. If Hook agrees to cooperate with us in this matter he should be advised that we will place an advertisement in the "Daily News" as follows: "Dear 'Greco' -- Telephone your friend and make necessary arrangements." Thereafter if Hook does receive a telephone call he should attempt to get "Greco" into his office to discuss this matter. If "Greco" raises the question of immunity Hook should tell him that he is in no position to pass on it but that he will put "Greco" in touch with the proper authorities. If "Greco" agrees to come into his office he should set a specific time and date and advise New York immediately so that agents may be available in Hook's office to talk to "Greco" when he arrives.

New York Office was instructed to make immediate arrangements to place the above advertisement in the "Daily News" and to keep the Bureau advised immediately of developments.

ADDENDUM: Miller called back at 1:30 p.m. and advised that Hook is in Pennsylvania but will be back in New York at 6:00 p.m. 6/14/53. Hook will be contacted by a New York agent upon his arrival in New York

Attachment 32

APL:amc

RECORDED - 77

JUN 17 1953

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7-25-86 BY 3042 PWT-JAR

65-58236-1759

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Belmont

DATE: June 16, 1953

FROM : Mr. Hennrich

SUBJECT: JULIUS AND ETHEL ROSENBERG

Tolson _____
 Ladd _____
 Nichols _____
 Belmont _____
 Clegg _____
 Glavin _____
 Harbo _____
 Rosen _____
 Tracy _____
 Gearty _____
 Mohr _____
 Winterrowd _____
 Tele. Room _____
 Holloman _____
 Sizoo _____
 Miss Gandy _____

Supervisor Dudley Payne of the WFO advised at 6:45 p.m. that Emanuel Bloch, Defense Attorney, is now at the Supreme Court Building and has stated that he delivered a petition for executive clemency to the Pardon Attorney.

ACTION:

For your information.

CEH:mar

RECORDED - 59

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7-25-86 BY 3042 PWT-JAR

JUN 17 1953

JUN 23 1953

LITRENT

Office Memorandum • UNITED STATES GOVERNMENT

DATE: June 15, 1953

TO : MR. A. H. BELMONT

FROM : MR. C. E. HENRICH

SUBJECT: JULIUS ROSENBERG;
ETHEL ROSENBERG
ESPIONAGE - R

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Winterrowd _____
Tele. Rm. _____
Holloman _____
Gandy _____

At 2:55 p.m., June 15, Supervisor Tom McAndrews, NYO, advised that Judge Kaufman had just denied the motion filed by attorney Fyke Farmer in the Rosenberg case. This motion was very voluminous and was, in part, repetition of a previous motion filed by Farmer which attacked the indictment of the Rosenbergs and alleged, among other things, that the conviction was in error because the Atomic Energy Act supersedes other laws having to do with espionage and that the wartime provisions of the Espionage Statute did not apply and that the Judge is in error in referring to the information going to the Soviet Union.

ACTION:

For your information.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

CEH:LL

RECORDED - 59

cc-MR. NICHOLS

55 JUN 23 1953

65-58236-1761
13 JUN 17 1953

EST. REC

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. LADD

FROM : MR. BELMONT

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R

DATE: June 16, 1953

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gearty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
 Sizoo _____
Miss Gandy _____

Supervisor Tom McAndrews of the New York Office called at 1:20 P.M. today to advise that [redacted] (tech on CP headquarters) advised that Arnold Johnson, convicted Smith Act subject, contacted George Blake, Executive Secretary of the NY State CP, and asked if Blake knew that two amnesty trains are leaving Thursday. Blake said yes. (This probably concerns the two trains which the Party is endeavoring to arrange to bring people down from New York to Washington on Thursday.) Blake asked if Johnson had heard of the two-day stoppage of all labor in France and Johnson said yes.

Johnson asked if Blake had heard that Herriot (ph) had come out in a plea for clemency. Blake said he had not heard of that. (This may refer to Edouard Herriot, President of the National Assembly of France, or President Auriol of France. We have not received such information up to this time.)

ACTION:

For your information.

ALL INFORMATION CONTAINED

DATE 10/22/86 BY 3042 pwt-DZC

AHR:mer

RECORDED - 114
INDEXED - 114
65-58236-1762
JUN 17 1953

EX-127

ESP

55 JUN 25 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. LADD

DATE: June 16, 1953

FROM : MR. BELMONT

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R

Tolson _____
 Ladd _____
 Nichols _____
 Belmont _____
 Clegg _____
 Glavin _____
 Harbo _____
 Rosen _____
 Tracy _____
 Gearty _____
 Mohr _____
 Winterrowd _____
 Tele. Room _____
 Holloman _____
 Sizoo _____
 Miss Gandy _____

Supervisor Tom McAndrews of New York called at 2:00 P.M. today to advise that AUSA Kilsheimer, who is in Washington, has advised that attorneys Finerty, Malcolm Sharpe, and Fyke Farmer argued in Chambers before Justice Douglas this morning. Douglas indicated he would not hear anything from Finerty or Sharpe as their arguments had been already presented yesterday to the Court, but he was willing and did hear arguments on the merits of the motion for a writ of habeas corpus presented by Fyke Farmer. (This is the same motion which Judge Kaufman disposed of yesterday in New York.)

Justice Douglas said he would let them know within an hour or two of his decision.

Kilsheimer said he has learned that Frankfurter will listen to these attorneys this afternoon if Douglas denies the stay of execution.

Mr. McAndrews called back shortly thereafter to advise that Judge Kaufman has received the same information as set forth above and is disturbed. Kaufman feels that someone in authority in Washington should put a stop to this maneuvering. Judge Kaufman made no suggestion as to how this should be done.

ACTION:

For your information.

AHB:mer

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7-25-86 BY 3042 PWT-JAR RECORDED - 59

65-58236-1763

JUN 17 1953

ESP

JUN 23 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. D. M. Ladd

DATE: June 16, 1953

FROM : Mr. A. H. Belmont

SUBJECT: JULIUS ROSENBERG, et al
ESPIONAGE - R

Tolson ☒
Ladd ☒
Nichols ☒
Belmont ☒
Clegg ☒
Glavin ☒
Harbo ☒
Rosen ☒
Tracy ☒
Gearty ☒
Mohr ☒
Winterrowd ☒
Tele. Room ☒
Holloman ☒
 Sizoo ☒
Miss Gandy ☒

This afternoon, SAC Alden called from Baltimore to advise that Informant [redacted] advised today that [redacted] Communist Party member, said on June 15 that the lawyers for the Rosenbergs have a way to reach Justices Douglas and Black and that one or the other will act on the Rosenberg case in the next 24 hours. *b2 b7D*

Baltimore Informant [redacted] (technical) advised today that Phyllis Sachs, Baltimore Communist Party sympathizer, contacted Mary Roberts, a Communist Party member, today and advised that the National Committee to Secure Justice in the Rosenberg Case is getting people to call Samuel Fridell, United States Congressman from Maryland, and request him to contact President Eisenhower and Attorney General Brownell urging Executive clemency for the Rosenbergs. *b2 b7D*

For your information.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/21/86 BY 3042 *put OTC*

AHB:bh *bb*

RECORDED - 114

INDEXED - 114

165-58236-1764

JUN 17 1953

EX. - 121

JUN 23 1953

ESP *man*

Office Memorandum • UNITED STATES GOVERNMENT

DATE: June 13, 1953

Tolson	
Boardman	
Belmont	
Clegg	
Glavin	
Harbo	
Rosen	
Tracy	
Laughlin	
Mohr	
Winterrowd	
Tele. Rm.	
Holloman	
Gandy	

TO : Mr. D. M. Ladd

FROM : Mr. A. H. Belmont

SUBJECT: JULIUS ROSENBERG, et al
ESPIONAGE - R

This is to advise you that at 3:40 p.m. Special Agent Tom McAndrews of the New York Office telephonically advised Special Agent C. E. Sandall that Assistant United States Attorney Kilsheimer had just notified the New York Office that he had been talking with Mr. Willy, Clerk of the United States Supreme Court. Willy advised that the Supreme Court will hear no further oral arguments on Attorney Bloch's application.

The New York Office believes that this means that on Monday, June 15, 1953, the Supreme Court will turn down Bloch.

RECOMMENDATION:

This is for your information.

RECORDED - 59

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

65-582367-176
JUN 17 1953

CES:amc *amc*

JUN 23 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : D. M. Ladd

DATE: June 13, 1953

FROM : A. H. Belmont

SUBJECT: JULIUS ROSENBERG
ET AL
ESPIONAGE-R

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gearty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
 Sizoo _____
Miss Gandy _____

At 1:15 p.m. Supervisor Tom McAndrews of New York advised that AUSA Kilsheimer advised that Attorney Bloch argued before Judge Jackson of the Supreme Court for a stay of execution. He spoke for one hour. The Government was represented by the Solicitor General's Office. Jackson asked Bloch if he was ready to argue before the full court on Monday and Bloch said he was. Jackson told Bloch he would let him know at 2:00 p.m. today whether he could argue before the full court on Monday.

Kilsheimer and/or Lumbard might be called to Washington on Monday to represent the Solicitor General's Office on behalf of the Government.

It is noted that this same information was furnished a few minutes later by the Washington Field Office with the exception that Judge Jackson reserved his opinion and there was a possibility that Bloch would argue before the full court this afternoon.

It is noted that the news ticker carried this same information which said that the Government was represented by Robert Stern, Acting Solicitor General, Robert Erdahl and John Wilkins.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

RECORDED - 59

165-38236-1766
21 JUN 17 1953

AHB:yhh

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Director

DATE: June 15, 1953

FROM : Mr. D. M. Ladd

~~SECRET~~

SUBJECT: JULIUS ROSENBERG, et al
ESPIONAGE - R

~~TOP SECRET~~

Classified by 3042 put-DTC
Declassify on: OADR
10/22/86

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Mohr
Tele. Room
Holloman
Gandy

The following plan has been submitted by the New York Office concerning the handling of interviews with the Rosenbergs on 6-18-53 in the event they request these interviews.

Arrangements for Bureau Personnel at Sing Sing Prison

A survey of the prison reflects that the main gate and administration building and the only public entrance to the prison are located at the north end of the prison property. Warden Denno's private residence is located southeast of the prison walls. In the rear of his residence, there is a five-car garage with three rooms upstairs, which the Warden is making available to our agents and stenographers. This garage is located approximately one hundred yards from the rear prison gate known as Post 18 and is two hundred yards from the death house. Space is available in the garage for Bureau cars.

Our personnel will arrive at Sing Sing and move into the garage by 11:00 A.M. on 6-18-53, the execution date. They will have full security at the garage and their presence will be unknown to anyone except the Warden, as all other prison personnel will be removed from the vicinity on the evening of 6-17-53.

Communications to be Available

The garage contains a telephone operated through the prison switchboard. The New York Office has arranged to install a direct leased telephone line Monday, 6-15-53 from the garage to the NYO switchboard and another leased telephone line from prearranged quarters on the second floor of the death house to the NYO switchboard. These quarters will be unavailable to anyone but the Warden.

A test of a Bureau auto radio reveals adequate transmission and reception in the event of an emergency.

65-58236
APL:djb

~~TOP SECRET~~
RECORDED - 116
WAB/86

65-58236-1767

JUN 18 1953

Classified by 2355 10/20/25
Exempt from GDS, Category 2+3
Date of Declassification Indefinite

JUN 18 1953

COPIES DESTROYED

436 JUL 16 1960

~~SECRET~~

ESPIONAGE

Plans for Interviews of the Rosenbergs

~~TOP SECRET~~

~~SECRET~~

In the event either of the Rosenbergs desires to talk to agents before 8:00 P.M., 6-18-53 the Warden will immediately notify the agents in the garage personally or through his inter-office phone, depending upon the urgency of the message. There will be full security on this telephone call as the Warden will make the call personally in code through his office switchboard. The Warden will have available a trustworthy prison guard to transfer Bureau personnel in a prison station wagon from the garage through Post 18 gate to the death house without identification or delay.

Ethel Rosenberg will be interviewed in the women's wing of the death house. The matron on duty will remain out of hearing outside the interview room but will have full observation of Ethel through a glass window in the door. Principal Keeper Kelley will be present at the interview.

Julius Rosenberg will be first interviewed in his pre-execution cell, and if ostensibly cooperative, will be immediately removed to a cell on the second floor in an unoccupied wing. The prison guard on duty will remain out of hearing outside the cell.

In the event the Rosenbergs do not request to be interviewed prior to 8:00 P.M., Warden Denno suggests that the agents move to the death house after 8:00 P.M. He points out that prior to that time the presence of strangers in the death house might become known to other inmates, who ultimately will be conversing with attorneys and relatives and reveal to them any unusual activity in the death house. The NYO recommends that this suggestion of the Warden be followed. If approved, Bureau personnel will proceed from the garage in the prison station wagon accompanied by the afore-mentioned prison guard to the death house and go to prearranged quarters on the second floor after 8:00 P.M. As stated before, a leased telephone line will be available in these quarters. Bureau personnel will remain in these quarters until such time as the Warden advises that the Rosenbergs have requested to speak or the execution has been legally performed, and all witnesses and officials have departed. In any event, Bureau personnel will remain in either the death house or the garage until all press and Government officials have left the prison area.

The Bureau will be telephonically advised immediately of the exact time of arrival of Bureau personnel at Sing Sing on 6-18-53 and of their departure from the Warden's garage to the death house.

~~SECRET~~

~~TOP SECRET~~

~~TOP SECRET~~

In the event the Rosenbergs are interviewed, Bureau instructions as given to SAs Thomas McAndrews and John A. Harrington will be strictly adhered to. The following four key questions will be asked of Julius Rosenberg at the outset of the interview to readily determine whether he intends to cooperate:

1. Name the individuals with whom he did microfilm work for the Russians.
2. Name the individuals who furnished him information to give to the Russians.
3. Name the cities outside of NYC in which he had espionage contacts.
4. Who were his espionage contacts in Cleveland, Ohio.

The NYO points (S) out that the answers to these questions, in part, can be found in [REDACTED] information and will be a test as to whether he is cooperating. ~~TOP SECRET~~ b1

In the event the Rosenbergs talk, arrangements can be made with the Warden for agents to remain in the death house building as long as they desire, extending into months, if necessary. Sleeping quarters and meals could be made available to Bureau personnel and electrical outlets are available for recording machines. The Warden will also make available typewriters and necessary clerical supplies.

If the execution of the Rosenbergs takes place on 6-18-53 Denno will immediately advise the agents and the NYO will then immediately advise the Bureau by telephone.

Press Coverage of Execution

The warden advised that all press, television, motion picture and radio activities will be confined to the main gate of the prison located on the opposite side of the prison and the agents' entrance and departure will be unobserved.

Execution Plans

Warden Denno has advised that James Bennett, Director, Federal Bureau of Prisons, telephonically contacted him to advise that he (Bennett) was making final arrangements for the execution. Bennett told Denno that he was looking up the law to determine what action he should take in the event the Rosenbergs desire to talk after entrance into the execution chamber and even after they are strapped in the chair. Denno recommended to Bennett against any

~~SECRET~~
interruption of the execution after the Rosenbergs enter the execution chamber. Denno advises that one minute and ten seconds elapse between the entrance of the prisoner into the execution chamber and the removal of the corpse.

The Warden further advised that New York State procedure is to permit the prisoner to talk to the Warden up to entrance into the execution chamber but not to listen to the prisoner following his entrance into the chamber. The condemned is not asked at any time if he has any last words to say. Once he enters the execution chamber the execution cannot be stopped, except by telephone call to Denno from the proper authorities. Denno states that this is the humane and practical method of handling executions in that they are accomplished with such speed as to cause the least hardship on the condemned prisoner. He points out that to act otherwise, as indicated by Bennett, would cause confusion among the execution personnel and could result in embarrassment to all concerned, in view of the fact that the press will be present and obviously will report such confusion.

Denno advises that he intends to proceed so that Julius Rosenberg will be executed first; that Julius will be in the pre-execution chamber and Ethel will remain in the women's wing. He states that to execute Ethel first would require Ethel to walk past Julius, thus probably creating an emotional crisis and making the task of the execution more difficult. He points out that to put Ethel in the pre-execution chamber and Julius elsewhere would reveal in advance that Ethel was to go first, which is against prison practice and considered to be unnecessarily cruel.

Denno states he is willing to abide by any instructions as to who should go first, but prefers to follow the usual practice. The NYO recommends that Denno's views for carrying out the execution be referred to the Department for a definite decision.

RECOMMENDATIONS:

1. It is recommended that the plan of the NYO, as set forth above, regarding the handling of possible interviews with the Rosenbergs be approved.

~~SECRET~~
OK. I have discussed with A.G.
He concurs. Send memo to A.G.
setting forth our proposed procedure
Also see that direct line from NYO
to A.G. here is not used, only 18
7 P.M. or earlier for calls from VZL -
mon whom have asked to take charge
of set up at Ding Ding. See that
operators are on switchboard at N.Y. there.
sent 6/14/52
mini 6/14/52

416
Noted
6/21/52
ja

~~SECRET~~

2. It is not believed advisable that the Bureau involve itself in the controversy between Denno and Bennett as to the procedure to be followed in carrying out the execution inasmuch as this is a problem for Denno and the Federal prison authorities to straighten out. However, it is recommended that the Attorney General be advised of Denno's views on this matter. If you agree, this will be done.

~~SECRET~~

[Handwritten signature]
EOR
APR

5:48

Julius Rosenberg
June 17, 1953

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. BELMONT
MR. NICHOLS

The Attorney General called to advise that he had just heard from Chief Justice Vinson who has called a special term of the Supreme Court for tomorrow noon. He stated that they were supposed to serve the papers on the attorneys and they knew where three of them were but they were not sure where Farmer was. The Attorney General stated he had asked Fred Mullen to see if the newspapermen could spot Farmer for them and he, the Attorney General, was wondering if we could have an Agent stand by in the office of Mr. Robert Stern, the Acting Solicitor General, in the event Mr. Mullen was unable to locate Farmer in which case an effort would have to be made to check into it. I stated I would have an Agent there and also in the meantime I would see whether our local office knows where Farmer is.

Very truly yours,

J. E. H.
John Edgar Hoover
Director

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

RECORDED-45

65-58230-1768

JUN 18 1953

139

cc-Mr. Holloman

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gearty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Ingram _____
Gandy _____

JEH:EH

SENT FROM D. O.
TIME <i>1:15</i>
DATE <i>6-17-53</i>
BY <i>[Signature]</i>

JUN 24 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. D. M. Ladd

FROM : Mr. A. H. Belmont

SUBJECT: JULIUS ROSENBERG, et al
ESPIONAGE - R

DATE: June 16, 1953

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Laughlin _____
Mohr _____
Winterrowd _____
Tele. Rm. _____
Holloman _____
Gandy _____

For your information, in order to test the leased lines between Sing Sing Prison and our New York Office, Warden Denno personally called me over each of the two lines this afternoon. The conversation was perfectly audible both here and, according to Warden Denno, at his end of the line.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

AHB:bh

RECORDED-77

165-58236-1769

12 JUN 17 1953

50 JUN 23 1953

ESP AHB

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

FROM : MR. C. E. HENRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

DATE: June 11, 1953

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Gearty
Mohr
Winterrowd
Tele. Room
Holloman
 Sizoo
Miss Gandy

ASAC Whelan, NYO, called on June 11, 1953. He advised that Special Agents Corcoran and Minihan had called from Sing Sing Prison. They advised that Julius Rosenberg has informed the Warden that on next Thursday, June 18, he would prefer no visitors and that he and Ethel want to spend the day alone. The Warden indicated he will let them be together most of the day and stated he will know in advance if there is any indication they will talk.

The Warden stated that the last family visit will be on Wednesday, June 17.

The Warden said he would not let any crowds on the prison property and that the streets outside will be well policed.

The Warden's home is on prison property, but outside the walls. At the Warden's house is a 5-car garage that has quarters above it which can be made available to Agents, if desired. This is less than 5 minutes from the Warden's office. Ingress to the prison from that point is through Gate 18, which is in back of the prison and out of sight of any persons who might be congregated in front of the prison. There is direct communication from the Warden's office to the Warden's home, and the Warden has indicated it will be perfectly satisfactory to install a leased line at his home.

Julius Rosenberg is in the cell block for condemned men, which is on the second floor. There is available space in this block which could be used for interviews. Arrangements can also be made to install a leased line telephone there. The Warden indicated that 2 hours' notice would be required.

Ethel Rosenberg is in the wing containing cells for condemned women. She is the only prisoner being held in that wing and adequate space is available for any interviews which may be desired there.

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HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

CEH:LL

RECORDED - 114

165-58236 - 1720
13 JUN 17 1953

JUN 23 1953

ACTION:

In view of the fact that Special Agents Tom McAndrews and John Harrington will be going to Sing Sing on June 12 for the purpose of completing arrangements there, I instructed ASAC Whelan to have Agents Corcoran and Minihan return to New York from Sing Sing.

The above is submitted as a matter of record.

Office Memorandum • UNITED STATES GOVERNMENT

DATE: June 9, 1953

TO : MR. A. H. BELMONT

FROM : MR. C. E. HENRICH

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Supervisor Tom McAndrews, NYO, advised at 9:50 a.m., June 9, that defense attorney Bloch has notified AUSA Kilsheimer the Circuit Court of Appeals will convene at 2:00 p.m. today (June 9) to hear an application for a stay of execution, pending appeal from Judge Kaufman's ruling of June 8 in the Rosenberg case.

ACTION:

For your information.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-JAR

RECORDED - 114

65-57236-1771

CEH:LL

cc-MR. NICHOLS

JUN 24 1953

Tolson ✓
Ladd ✓
Nichols ✓
Belmont ✓
Clegg ✓
Glavin ✓
Harbo ✓
Rosen ✓
Tracy ✓
Laughlin ✓
Mohr ✓
Winterrowd ✓
Tele. Rm. ✓
Holloman ✓
Gandy ✓

Office Memorandum • UNITED STATES GOVERNMENT

TO : The Director

DATE: June 11, 1953

FROM : D. M. Ladd *DL*SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R

Tolson
Ladd
Nichols
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Gearty
Mohr
Winterrowd
Tele. Room
Holloman
 Sizoo
Miss Gandy

The most recent developments are as follows:

(1) The National Committee to Secure Justice in the Rosenberg Case is planning extensive leaflet distribution Saturday, June 13, 1953, between twelve noon and 4:00 P.M., to save the Rosenbergs. They are attempting to secure the Sylvan Theater in Washington for a rally presumably to take place Sunday, June 14, 1953.

6-11-53
On this date a meeting is scheduled to take place in the office of the Chief of the U. S. Secret Service between high ranking members of the Metropolitan Police Department, U. S. Park Police and Secret Service to apparently coordinate coverage of the contemplated demonstration by the Rosenberg Committee on June 14, 1953. The Washington Field Office is maintaining liaison with the Metropolitan Police Department, Secret Service and Park Police.

The Rosenberg Committee has obtained use of the Odd Fellows Hall, 9th and T Street, N.W., Washington, D.C., for 3:00 P.M., June 14, 1953, when 100 leaders of the Rosenberg Committee will meet to set up the mass meeting scheduled for 4:00 P.M., on the same date.

(2) A Chicago informant has advised that the Rosenberg Committee demonstration in Washington, D. C., for June 14, will also include picketing of public buildings in Washington, D. C. Informant also believes picketing will be carried on in other cities throughout the country.

65-58236

APL:dmd

RECORDED - 11

JUN 12 1953

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DATE 7-25-86 BY 3042 PWT-JAR

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Office Memorandum • UNITED STATES GOVERNMENT

TO : A. H. Belmont

DATE: June 8, 1953

FROM : C. E. Hennrich

SUBJECT: JULIUS ROSENBERG
ETHEL ROSENBERG
ESPIONAGE - R

Tolson _____
Ladd _____
Nichols _____
Belmont _____
Clegg _____
Glavin _____
Harbo _____
Rosen _____
Tracy _____
Gearty _____
Mohr _____
Winterrowd _____
Tele. Room _____
Holloman _____
 Sizoo _____
Miss Gandy _____

ASAC Whelan called from New York at 7:05 p.m.
He advised that Judge Kauffman had just denied both
motions for a new trial and for arrest of judgement
made on behalf of the Rosenbergs by Defense Attorney Block.

ACTION:

For your information.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 7-25-86

BY 3042 PWT-JAR

CEH:mar

RECORDED - 118

65-5826-1773
JUN 12 1953

JUN 22 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: June 8, 1953

FROM : L. B. Nichols

SUBJECT:

ETHEL AND JULIUS ROSENBERG
ESPIONAGE - R

Tolson
Ladd
Belmont
Clegg
Glavin
Harbo
Rosen
Tracy
Gandy
Mohr
Winterrowd
Tele. Room
Holloman
 Sizoo
Miss Gandy

Art Kranish of International News Service came by to state that Barry Faris of their New York office had the feeling the Rosenbergs might start talking in the next day or two and while it is not known what the situation would be if they did start talking, INS wanted to get a bid in for any comment we might possibly be able to make and for any information we might be able to furnish.

I told Art so many factors were involved that certainly there was nothing that could be said now, nor could we even speculate where we could assist if they did talk.

cc: Mr. Ladd
Mr. Belmont

LBN:MP

We must meticulously adhere to no comment

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HEREIN IS UNCLASSIFIED
DATE 7-25-86 BY 3042 PWT-SAR

RECORDED - 118

65-58236-1774

JUN 16 1953

Subscribed

EX

JUN 22 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd *pl*

FROM : Mr. Rosen *RKA*

SUBJECT: JULIUS and ETHEL ROSENBERG
ESPIONAGE - R

DATE: June 8, 1953

Tolson _____
 Ladd _____
 Nichols _____
 Belmont _____
 Clegg _____
 Glavin _____
 Harbo _____
 Rosen _____
 Tracy _____
 Gearty _____
 Mohr _____
 Winterrowd _____
 Tele. Room _____
 Holloman _____
 Sizoo _____
 Miss Gandy _____

The Washington City News Service for June 8, 1953, at 7:13 p.m. reported that Bloch, attorney for the Rosenbergs, charged the Government knowingly used perjured testimony. He produced statements he said Greenglass and his wife made to their attorney, O. John Rogge, and said that they later were "filched" from the attorney's files. The news item further stated that Kaufman, Federal District Judge Kaufman, asked United States Attorney J. Edward Lumbard to investigate the matter and determine whether there had been any obstruction of justice.

Special Agent A. P. Litrento of the Domestic Intelligence Division advised he knew of no request made to the New York Office by United States Attorney Lumbard. **GIR-5**

The New York Office was telephonically contacted at 11:35 p.m. tonight and Supervisor J. N. Doran advised that Lumbard had not yet requested to the New York Office to conduct an obstruction of justice investigation.

RECOMMENDATION:

None. For your information.

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7-25-86 BY 3042 PWT-JAR

cc: Mr. Belmont
 WRH:rmk

RECORDED - 114

65-5826-1775

13 JUN 12 1953

JUN 23 1953

6 *[Signature]*
 5- *[Signature]*