

F.O.I.A.

JULIUS ROSENBERG ET AL.

FILE DESCRIPTION

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FILE

SUBJECT JULIUS ROSENBERG

FILE NO. 65-58236

VOLUME NO. 35

SERIALS

2049 - 2138

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File No: 65-58236
Sub. 35

Re: Julius + Ethel Rosenberg

Date: 11/86
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
2049	9-4-53	Keay Memo Belmont w/encl	2/4	2/4	
2050	9-21-53	NY Mirror Article	2	2	
2051	9-22-53	NY Report HQ	4	3	1 refer Coast Guard
2052	9-24-53	CV Report HQ	3	3	
2053	9-30-53	PH Letter HQ	1	1	
2054	9-29-53	HQ letter NY w/Encl.	1/1	1/1	
2055	9-22-53	Ladd Memo Director w/Encl.	4/39	4/39	
2056	10-6-53	Ladd Memo Director	7	7	
2057	10-1-53	EAAG Letter HQ	2	2	
2057	10-5-53	HQ Letter EAAG	1	1	
2058	9-30-53	WFO Letter HQ	4	4	
2059	7-27-53	Belmont Memo Ladd w/Encl.	1/125	1/123	b1, b7D

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Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
2060	8-14-53	Nichols Memo Director	1	1	
2061	8-25-53	Branigan Memo Belmont	1	1	
2062	9-10-53	Nichols Memo Tolson	1	1	b1
NR	10-7-53	HQ Letter NY	3	3	
2063	10-7-53	AQ Letter HQ w/Encl	1/50	1/50	
2064	10-13-53	Nichols Memo Tolson	1	1	
2065	10-8-53	Nichols Memo Tolson	1	1	
2066	10-14-53	NY TT HQ	2	2	
2067	10-22-53	NY Letter HQ	1	1	b2, b7D
2067	11-10-53	HQ letter NY	1	1	
2068	10-22-53	CV Letter NY	1	1	
NR	10-20-53	Nichols Memo Tolson	1	1	

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Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
2069	11-2-53	NK Letter HQ	2	2	
NR	11-4-53	Ladd Memo Director	2	2	
2070	11-12-53	Third Party Letter HQ	1	1	
2070	11-4-53	HQ Letter Third Party	1	1	
2071	11-12-53	NY Letter HQ	1	1	
2072	11-9-53	PH Letter HQ	1	1	
2073	10-29-53	Third Party Let. HQ w/Encl.	1/3	1/3	b7c, b2
2073	11-9-53	HQ Let. Third Party	2	2	
NR	11-23-53	Belmont Memo Ladd	1	1	
NR	11-22-53	Branigan Memo Belmont	6	6	
NR	12-2-53	HQ Letter Army	1	1	
NR	11-23-53	Sizoo Memo Belmont	1	1	

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sect. 35

Re: Julius & Ethel Rosenberg

Date: 11/96
(month/year) 4

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
2074	11-20-53	NY Letter HQ	1	1	
2074	12-7-53	HQ Letter NY	1	1	
2075	11-16-53	Third Party Letter HQ	1	1	
2075	11-25-53	HQ Letter Third Party	1	1	
NR	12-1-53	AAG Letter HQ w/Encl	1/12	1/12	
2076	12-2-53	NY Letter HQ w/Encl	2/13	2/13	
2076	12-8-53	HQ Letter AG	3	3	
2077	12-8-53	Legat London Let. HQ	1	1	b1
2078	12-16-53	HQ Letter Legat London	1	1	b1
2079	12-16-53	Legat Paris Letter HQ	1	1	b1
2079	1-15-54	HQ Letter Legat Paris	1	0	1 refer Army b1
2080	12-29-53	HQ Letter NY	2	2	

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Re: Julius & Ethel Rosenberg

Date: 11/86
(month/year) 5

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
2081	12-31-53	CI TT HQ	1	1	
2082	1-5-54	NY TT HQ	1	1	
2083	1-6-54	HQ TT CI	1	1	
2084	12-11-53	NY Letter HQ	1	1	b2, b7D
2085	12-30-53	Legat London Letter HQ	1	1	b1
2086	1-7-54	NY TT HQ	1	1	
2087	1-11-54	Nichols Memo Tolson	1	1	
2088	1-13-54	NY TT HQ	1	1	b2, b7D
2089	1-7-54	NY TT HQ	1	1	b2, b7D
2089	1-12-54	HQ Letter AG	2	2	b2, b7D
2090	1-15-54	NY TT HQ	1	1	b2, b7D
2091	1-21-54	HQ Letter BIS	2	2	b7c, b7D

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(month/year) 6

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
NR	1-21-54	Legat Paris Letter HQ	1	1	
2092	1-25-54	NK AT HQ	2	2	b2, b7D
2093	2-1-54	HQ Letter NY	1	1	
NR	1-25-54	HQ Letter NY	1	1	
NR	1-25-54	NY Letter HQ	3	2	b7c, b7D, b2
NR	2-1-54	Bulky Exhibit Inventory ^(NY)	1	1	
NR	2-1-54	Bulky Exhibit Inventory ^(NY)	1	1	
NR	2-9-54	NY TT HQ	5	5	b7c
2094	2-1-54	AL Letter HQ	7	7	
2094	2-11-54	HQ Letter AL	1	1	
2095	2-3-54	NY Report HQ	4	4	
2095	2-3-54	NY Letter HQ	1	1	

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(month/year)

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Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
NR	2-5-54	HQ Letter AG	1	1	
2096	1-29-54	NY Letter HQ	1	1	
2097	2-3-54	HQ Letter NY	1	1	
2098	2-2-54	NY TT HQ	2	2	
2098	2-3-54	HQ Letter AG	2	2	
2099	2-4-54	Legat Paris Letter HQ	2	2	
2100	2-8-54	BS Rept HQ	6	6	b2, b7C, b7D
2101	2-3-54	Legat Paris Let w/Encl.	2/4	2/4	b7C, b7D
2102	2-3-54	Nichols Memo Tolson	1	1	
NR	2-2-54	NY Letter HQ	1	1	
2103	2-5-54	NY TT HQ	2	2	b2, b7D
2103	2-9-54	HQ Letter AG	2	2	

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Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
2104	2-8-54	Legat Paris Let. HQ w/Encls.	1/3	1/3	
2105	2-19-54	HQ Letter AG	2	2	
2106	2-19-54	HQ Letter AG	2	2	
2107	2-18-54	Sizoo Memo Belmont	1	1	
NR	2-18-54	Belmont Memo Ladd	1	1	
2108	2-23-54	HQ Letter AG	2	2	
2109	2-23-54	Baumgardner Memo Belmont	1	1	
2110	2-18-54	NY TT HQ	1	1	
2111	2-26-54	CI Letter HQ w/clip	1/2	1/2	b7c, b7D
2112	2-25-54	NY TT HQ	2	2	
2112	2-26-54	HQ Letter AG	2	2	
2113	2-24-54	Sizoo Memo Belmont	1	1	b7c, b7D

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Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
2114	2-26-54	Branigan Memo Belmont	9	9	
2114	3-2-54	HQ Letter NY	4	4	
2115	2-18-54	NY Letter HQ	7	7	
2116	2-4-54	NY Letter HQ w/Encl.	1/1	1/1	
2117	2-3-54	Nichols Memo Tolson	1	1	
2117X	2-19-54	NY TT HQ	1	1	
2118	2-20-54	NY TT HQ	1	1	
2119	2-21-54	NY TT HQ	2	2	
2120	3-3-54	AL Rept HQ	9	9	
2121	3-1-54	Legat Paris Letter HQ	2	2	
2122	3-1-54	NY TT HQ	1	1	
2122	3-5-54	HQ Letter AG	1	1	

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(month/year) 10

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
2123	2-26-54	NY TT HQ	1	1	
NR	3-4-54	HQ Letter NY	2	2	
NR	3-5-54	Incoming Letter	2	2	
2124	3-5-54	NY Letter HQ	1	1	
2124	3-17-54	HQ Letter NY	1	1	
2125	3-4-54	NY TT HQ	1	1	
2125	3-9-54	HQ Letter AG	1	1	b7c, b7D
2126	3-8-54	NK Letter HQ	1	1	
2127	3-8-54	HQ Letter NY	1	1	
2128	3-9-54	NY AT HQ	1	1	
2128	3-12-54	HQ Letter AG	2	2	
2129X	2-16-54	HQ Letter NY	1	1	

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont

DATE: September 4, 1953

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

FROM : Mr. V. P. *[Signature]*

SUBJECT: JULIUS ROSENBERG, et al
ESPIONAGE - R

Pursuant to the Director's request on September 3, 1953, Assistant Legal Attache H. P. Winter has submitted the following information.

Upon his return to Paris in June, 1953, Legal Attache L'Allier mentioned the telegram dated May 15, 1953, from Ambassador Douglas Dillon setting forth the Paris Embassy's view that the execution of the Rosenbergs might have an adverse effect on the French people and on Western Europe, a view coinciding with the Communist Party line. During the resulting discussion, we were in complete agreement that the telegram did not reflect the considered view of Ambassador Dillon, that it did not contain a valid description of the situation in France and that it might well have been prepared by William Avery Crawford, political officer of the US Embassy.

During the Legal Attache's absence in Washington, however, Benjamin Crominshield Bradley, press attache, advised that he had been preparing telegrams relating to the progress of the Rosenberg campaign in France for the Ambassador's signature. Moreover, the Embassy's security officer, during a conversation on another matter, had remarked that Bradley has become very close to the Ambassador, had been reporting the repercussions of the Rosenberg case in France to the Department of State. In this connection, the Embassy's security officer said that in his private opinion, Bradley is the type of liberal journalist who might readily be taken in by sustained Communist propaganda in the press.

It was not possible, without open inquiry, to establish with certainty the identity of the Embassy staff officer who prepared the communication, but, in view of the foregoing it appears probable that the communication was prepared either by Bradley or Crawford.

Bureau files reflect that a request for investigation of Benjamin C. Bradley under the Voice of America Program was received at the Bureau on February 24, 1951. The investigation was instituted on March 6, 1951, and the results furnished the Department of State on April 23, 1951. Investigation

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-23-86 BY 2042/MS/JS

MAJORITY
B.I. OFFICE

[Handwritten signatures and initials]

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developed no derogatory information concerning Bradley; reflects that he had been born on August 26, 1921, in Boston, Massachusetts; had received his B.A. degree from Harvard in 1944; had served in the US Navy during World War II; had thereafter worked for a few months for the American Civil Liberties Union in New York before taking up his career as a journalist. He worked as a news reporter for a number of newspapers, the latest of which was "The Washington Post," by which he was first employed on December 1, 1948.

ACTION:

None. This is for your information.

Enough said. *[Signature]*

UNITED AMERICAN SPANISH AID COMMITTEE

200 FIFTH AVENUE, NEW YORK

Room 810

GRamercy 5-7607

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PAN-AMERICAN COOPERATING ORGANIZATIONS

ARGENTINA: Federacion de Organismos de Ayuda a los Refugiados Espanoles.
CHILE: Comité Chileno de Ayuda a Los Refugiados Espanoles.
CUBA: Asociacion Nacional de Ayuda a Las Victimas de la Guerra de Espana.
MEXICO: Federacion de Organismos de Ayuda a La Republica Espanola.
URUGUAY: Comité Pro Defensa de La Republica Democratica Espanola.

SAMPLE LETTER

**The President
Washington, D. C.**

Dear Mr. President:

May I respectfully urge you to do all in your power to see that our country takes an active part in demanding of the Franco dictatorship of Spain that it grant a complete and unqualified amnesty to all political prisoners;

That it repeal the barbarous Law of Political Responsibilities with its retroactive, terroristic provisions;

That it abolish the brutal policy of "collective consent" making all members of an organization or community guilty and responsible for the activities of one or more of its members;

That it release the thousands of political prisoners now being used as unpaid labor;

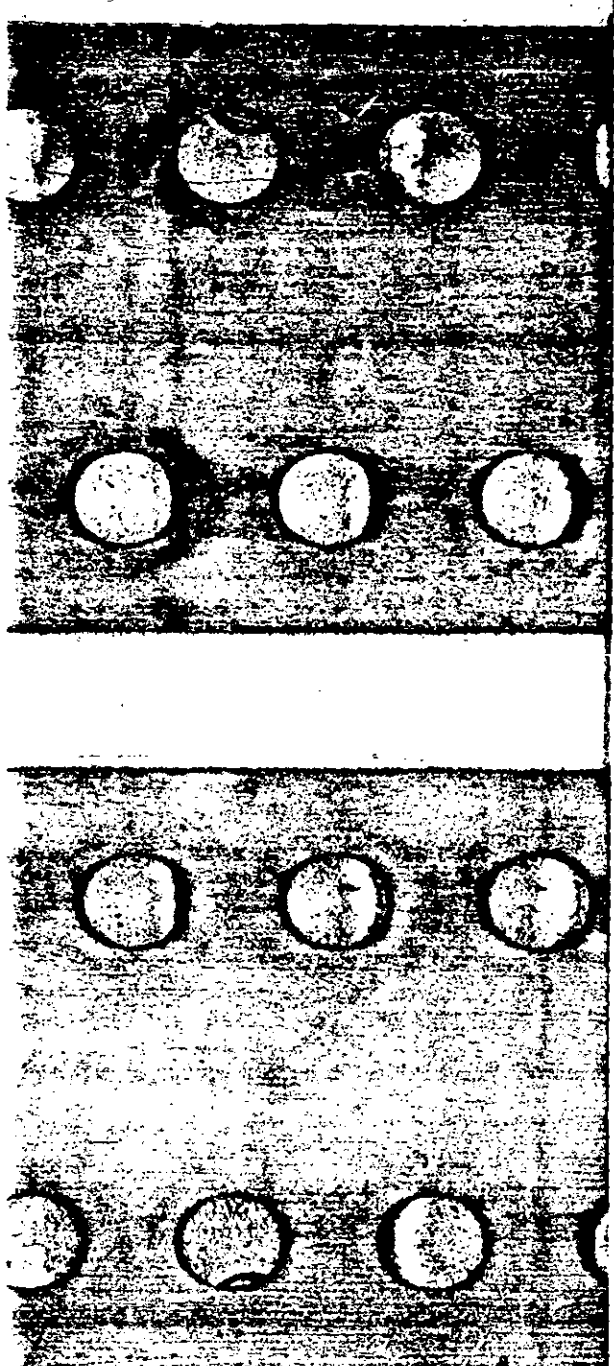
That it grant an amnesty in fact as well as in words, to the refugees still in France, that they may not face death at Franco's hands when they return to their homes.

Yours very truly,

SAMPLE TELEGRAM

**STATE DEPARTMENT
WASHINGTON D C**

URGE U S GOVERNMENT DEMAND COMPLETE AMNESTY POLITICAL PRISONERS IN SPAIN



Franco terror as the war concluded, reached a haven in France only to be confined in concentration camps. They and four thousand International Brigade members, most of them from fascist countries to which they cannot return, know of the Law of Political Responsibilities and the executions which characterize life in Spain today.

They have resisted continuous coercion and pressure to force repatriation. They have endured misery in concentration camps, back-breaking labor in labor battalions, slave labor in French factories. Today they have the possibility to emigrate to a new life among Spanish-speaking people in the Americas. The Mexican government has agreed to accept all who reach their shores. Other Latin American countries have also opened their doors.

Only the transportation remains to be provided. The United American Spanish Aid Committee is campaigning for funds for boats. Every Spaniard who reaches asylum in the Western Hemisphere is a reminder to those in Spain that sacrifices for liberty are dearly prized by defenders of democracy everywhere.

Give — that transportation may be provided!

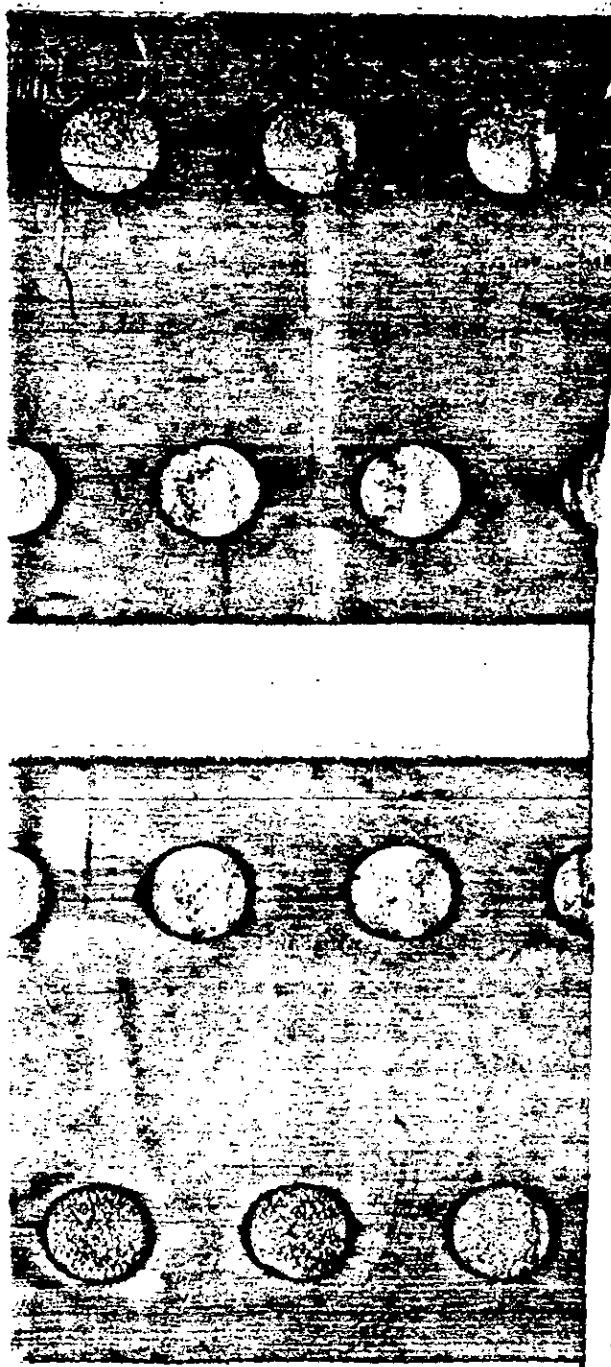
Let the voice of American labor ring out in defense of our Spanish brothers who cannot speak for themselves.

Get your union local, your fraternal organization, your social or cultural group to pass resolutions condemning Franco terror and petition the President of the United States to demand an end to the orgy of blood and torture in Spain today.

Send letters to the State Department, from yourself, as an individual, or with groups of your neighbors, your shopmates and your friends.

Tell the story of Spain to everyone you meet. Act quickly.

Franco's executioners never sleep. There is so little time.



rifice during the war, continue to risk their lives for freedom. Despite the terror they fight back, organizing solidly, initiating actions for a new day of reckoning.

Here in the United States we can aid those struggles. Our government, which banned arms to the Republic, which gave comfort to Franco through its hasty recognition of his blood-stained flag, today still has the power to help stay the hand of the executioners.

It is for us — the people, who can still speak and make our voices heard in the halls of government, to protest to our government against the terror in Spain. To let our protests ring so long and loud that our State Department will be compelled to demand in the name of humanity that Franco and his Falange grant an amnesty to all political prisoners.

Write to Franco's embassies and consulates in this country. Visit their offices and make known to them the revulsion which sweeps all Americans as they consider the terror which fascism has brought to Spain.

There are other ways that Americans can aid the Spaniards in their struggles. Material aid can be sent to these heroic men and women through the United American Spanish Aid Committee.

Packages are sent and delivered even into the jails where fighters for liberty are interned. Think of the meaning of the arrival of these gifts! The relief that comes from receipt of sorely needed food and clothing and medicine, great as it is, is surpassed by the concrete reminder that outside Spain there are men and women who remember their sacrifices for liberty and whose hearts beat with theirs.

Collect funds for the heroic men, women and children of Spain. Send money to the committee to facilitate the conduct of its work.

There is a further way that Americans can help. Hundreds of thousands of Spanish refugees, who fled

Walter Winchell Of New York

Man About Town

The Gregory Peck-Audrey Hepburn romantalk (despite other dates) is not discounted by coast editors. La Hepburn quietly visited his family and has their "approval"... They say George Sanders will do the filling and charge Zsa Zsa with desertion... Louise Brooks, ex-screen star, was converted to Catholicism Saturday. She will marry James Dunn, a marine engineer. They will dwell in Eire... Bea Myerson (a former "Miss America") lost \$2,000 in gowns, etc. via car burglars Friday... Sloan Simpson has a lush contract for a year with Station WOB... Some ticket spex are asking \$140 (the set) for Series ducats... Ex-Gov't girl Judy Coplon (whose conviction as a Red agent was upset) and her groom are zig-zagging, according to neighbors... Mrs. Calvin Coolidge (widow of the President) won't admit it but a Washington economist has popped That Question.

On Sept. 7th the colyum reported that Senator McCarthy and his fiancee Jean Kerr would make their betrothal public late this month... On the 14th we reported the announcement "would not be made"... On the 18th newspapers revealed they would wed on the 29th... One paper disclosed: "Jean gave McCarthy back his ring and they were reconciled only three days ago"... So we were right both times... Our source was pretty good... His initials are J. Mc.

The Washington Line: The U. S. Internal Security group will soon undress a New York magazine editor. They will allege "he poses as an anti-Red"... Sen. Taft's son Jack will be "the poop-carrier" between the White House and the House of Reps... Senator ("Scoop") Jackson's biggest skewp is socialite Elaine O'Connor... The Post Office Dept's survey on what the U. S. loses on 2nd Class publications will report that the Henry Luce mags cost over 20 million alone yearly... Immigration will revoke passports issued by Honduras and Nicaragua during 1936-38. Mr. Whiskers learned they were purchased in Prague (from their consulates) at \$400 each... Dewey's crowd says he is broke and could not afford a Gov't post. When he quits it will be for private law practice.

Maureen O'Hara and Mrs. Huntington Hartford, currently feuding, are blamed for the Hollywood heatwaves... Latin Quarter show-gel Madeline Remini and George Campo (the tennistar) are nets about each other... A French banker is Wendy Barrie's companion at Chateau-Madrid but her feller has three famous initials... Mary Maguire and E. Burgess, jr., both of Business Week mag, are honeymooners... The last man to talk with Tammany chief Ed Flynn (just before he died abroad) was James Farley. They hadn't for 30 years... The Police Gazette is due today with "the official lowdown" on why the Atom spies wouldn't tell... Elaine Barrie (once Mrs. J. Barrymore) inherited a bundle from her father who recently passed. Purchased a Connecticut manse... The blonde who checks her infant in night club checkrooms is Lisa Van of South Africa. She will involve a recently wed movie star.

The Cables: The Marquis Niccolo Theodoli and his pretty bride (Mary L. Scott of Kentucky) are honeymooning in the W. Indies... Annabella's big crush in Madrid is Prince Romanof, whose so-wot claim is that he's from the Russian imperial family... Anthony Veiga (his pater is the Chilean mint once wed to New York's Susie Schrafft) and San Francisco's Marsha Gall (a model) are raising eyebrows in Paris, which is par for the course... Jeanne O'Connor (the American uncle model) and the Maharajah of Bundl (a 30-year-old moneybags) are Topic A along the Continent. They met here at a party in Westchester... Claude Carlier (the gem Fort Knox) married Sylvie Hirsch in Paris. She is Dior's most gorgeous mannequin.

Cops are alerted to a cowboy star (here with the Rodeo) who handles women rough. A gal victim complained to gendarmes the other night... Night clubs are giving musicians two-week notices—just in case AGVA pulls a strike and they have no performers. The strike is set for the 27th... The reason behind Lena Horne's refusal to play the lead in "St. Louis Woman" won't be publicized. An avalanche of mail (from top Negroes) complained the role of prostitute would disgrace the race... Some Very Nice People won in the primaries last week. One was a shylock with a Murrer, Inc. character... Another is a notorious Harlem commy!

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

Brudigan

Let's go

Julius Rosenberg

7-65-58236

5-100 205
165-5823620

SEP 25 1953 050
70

- Times-Herald
- Wash. Post
- Wash. News
- Wash. Star
- N.Y. Herald Tribune
- N.Y. Mirror

Date: SEP 21 1953

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/1/80 BY SP4 AUL/B

*Get this
done ahead
to says.*

*9/22/53
P.P. Law*

56 SEP 30 1953

The Gov't has volumes of documented evidence about Paul Hagen, a former convict who served 7 years in a European jail for kidnapping and was a commy conspirator abroad... He once shared an apartment in Vienna with Red leader Gerhard Eisler... Eisler (who escaped from here on the Batory) is now a top espionage agent overseas... Hagen's real name is Karl B. Frank... He is the same man editor Wechsler wrote about (in an unsolicited letter) to the editor of The New Leader not long ago... Wechsler (suing us for libel) argues that he has been anti-Communist since leaving the Young Communist League in 1937... But he wrote this about commy Hagen (Frank) on Feb. 9th 1953!!!

"For many months preceding my break with the YCL in 1937 Hagen was probably as influential as any person I knew in shaping my political thinking. I am not sure that even he is aware of how important an influence he was (upon others as well as myself) in dramatizing the existence of a progressive, democratic alternative to Stalinism, and in debunking the Stalinist myths. I have turned to him intermittently for advice *IN RECENT YEARS* and he has never wavered in his allegiance to the democratic cause."

But Karl B. Frank (Paul Hagen), on whose advice editor Wechsler admits "quitting the Comms in 1937"—was refused a passport by our Dept of State for being "too subversive"—in 1946... Hagen, now up for deportation, continues to shape Wechsler's "anti-communist political thinking" by Wechsler's own admission.

Barbara Hutton's pretty cousin Pamela and Lionel Ames are a Cupiduo... Johnny Brascia (set for Bing's next film) is trying to be Vera Ellen's No. 1 Guy... Zanuck paid Doris Lilly \$2,500 to use her book title ("How to Marry a Millionaire") for Zoe Akins' "The Greeks Had A Word For It"... Celia Flores, the Marilyn Monroe of the Philippines, enrolls at UCLA next month... Dean Allen, the original voice of Donald Duck, left a lifetime job with Disney to open at the Palace (as a tenor) on the 25th... Minto Cato, the pianist at Bob Olin's, smokes seegars as she puffers... A Senate Security Comm. witness testified that a Rhoda Miller was fired from OWI for being "a leftist." The accused was chairman of Time Magazine's Newspaper Guild Unit and a writer for The Daily Worker... Thanks to the Yanks & Dodgers, the Runyon Fund has a donation of ten box-seats and 14 reserved seat strips for the entire Series. Whaddaya offer?... "Red Rainbow," which all critics think should've been titled "Rainbow," is still breathing. Because of a femme benefactor's \$4,000 to "guarantee" a 2nd week?... Gogi, the elegant host at LaRue (until it folded), now makes with the dignity at socialite Stass Reed's hooch shop on 72nd... Mickey Spillane's deep interest in religion may mean he won't finish his latest tome. Chums hear he's making street corner orations for the 7th Day Adventists... Bank robber Willie Sutton (doing life) is in charge of the Attica Prison payroll.

SECURITY INFORMATION - CONFIDENTIAL
FEDERAL BUREAU OF INVESTIGATION

MRG

Form No. 1
 THIS CASE ORIGINATED AT **NEW YORK**

REPORT MADE AT NEW YORK	DATE WHEN MADE 9/22/53	PERIOD FOR WHICH MADE 7/16, 29; 8/7; 9/15, 16/53	REPORT MADE BY JOSHUA D. ENSOR
TITLE JULIUS ROSENBERG; ET AL			CHARACTER OF CASE ESPIONAGE - R

SYNOPSIS OF FACTS: **HARRY P. GOLDBERG** is reported to have been linked to the Rosenberg Spy Ring. Records of the US Coast Guard reflect **GOLDBERG** operated a pleasure craft in 1944 which boat was sold in 1946. **RUTH GREENGLASS**, self-admitted member of the Rosenberg Espionage Ring does not know **GOLDBERG**.

DECLASSIFIED BY 3042/PWT/CLS
 ON 10-29-86

cc - RAB
 JPL-amb
 2-12-54

DETAILS: As has previously been reported, an anonymous letter was received at the Bureau on February 11, 1953 from Hammonton, New Jersey, which stated that **HARRY GOLDBERG**, Harraman Road, Hempstead, Long Island, New York was a link in the Rosenberg Spy Ring.

At Hempstead, Long Island

The following investigation at Hempstead, Long Island was conducted by SA **KENNETH R. ROUNTON**.

T-1, of unknown reliability, who has a knowledge of the depositors of the Second National Bank, Hempstead, Long Island, advised on August 7, 1953 that **LEAH R. GOLDBERG** maintained a special checking account at the Second National Bank, which was opened on January 25, 1949. The informant stated that **HARRY P. GOLDBERG** had a regular checking account at the bank which was opened on July 26, 1948, at which time he gave as a reference the Manufacturers Trust Company.

Rept. will be submitted

APPROVED AND FORWARDED: LVS	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
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286 NOV 15 1953 5 - Bureau (65-58236) (RM) 2 - Philadelphia (RM) 3 - New York (65-15348)	SEP 24 1953	
COPY IN FILE		

NY 65-15348

257 Utica Avenue, Brooklyn, New York. The informant stated that GOLDBERG'S account was an active one with deposits and withdrawals in amounts up to \$2,500.00. Many of the deposits were second endorsements and most of them large checks and drawn on the Citizens Bank and Trust Company of Bloomington, Indiana.

T-1 stated that GOLDBERG was employed by the Nurre Company of Bloomington, Indiana and his account as of August 7, 1953 was \$2,634.32.

T-2, of known reliability, advised that during July, 1953, all correspondence directed to HARRY GOLDBERG appeared to be of a business nature relating to his connection with the Nurre Company.

At New York, New York



There was a communication in the file on the stationery of HARRY P. GOLDBERG, furniture manufacturer representative, 206 Lexington Avenue, New York, dated June 23, 1944, which read as follows: "To Whom It May Concern: This is to certify that the person HYMAN GOLDBERG, recorded on Birth Certificate Number 15605 of the Department of Health, Borough of Manhattan, dated June 20, 1944 and which Birth Certificate was granted November 24, 1909, is the same as HARRY P. GOLDBERG and that this person is my son. Very Truly Yours, ABRAHAM GOLDBERG."

~~CONFIDENTIAL~~ . NY 65-15348

NY 65-15348

The photograph of HARRY P. GOLDBERG was also maintained in the Coast Guard file.

RUTH GREENGLASS, self-admitted Espionage Agent who was associated with the Rosenberg Espionage Ring, advised SA RICHARD A. MINIHAN on July 29, 1953 that she had no knowledge of HARRY P. GOLDBERG.

- P -

- 3 -

NY 65-15348

ADMINISTRATIVE PAGE

INFORMANTS

<u>Identity of Source</u>	<u>Date of Activity and/or Description of Information</u>	<u>Date Received</u>	<u>Agent to Whom Furnished</u>	<u>File Number Where Located</u>
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T-1 HELEN MATTHIAS, Second National Bank, Hempstead, Long Island	Bank Records	8/7/53	SA KENNETH R. ROUNTON	Instant File
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T-2 Mail Cover of GOLDBERG residence at 90 Harriman Rd., Hempstead, Long Island	July, 1953	July, 1953	SA JOSHUA D. ENSOR	Instant File
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LEADS

PHILADELPHIA

At Philadelphia, Pennsylvania

1. u. per 2047
Will exhibit photograph of GOLDBERG to HARRY GOLD and DAVID GREENGLASS as requested in referenced New York letter to Bureau, 8/13/53.

NEW YORK

grants authority for interview
At New York, New York

Will submit recommendation to the Bureau regarding interview of GOLDBERG after HARRY GOLD and DAVID GREENGLASS have been interviewed.

REFERENCE Report of SA JOSHUA D. ENSOR, 7/8/53, New York. New York letter to Bureau, 8/13/53.

~~SECURITY INFORMATION - CONFIDENTIAL~~
FEDERAL BUREAU OF INVESTIGATION

Form No. 1
 THIS CASE ORIGINATED AT **NEW YORK**

REPORT MADE AT CLEVELAND	DATE WHEN MADE 9/24/53	PERIOD FOR WHICH MADE 9/18/53	REPORT MADE BY SA JOHN P. MANTON mak
TITLE JULIUS ROSENBERG, ET AL			CHARACTER OF CASE ESPIONAGE - R

SYNOPSIS OF FACTS:

CHARLES PACK, Vice President, Doehler-Jarvis Company, Toledo, Ohio, advised he has no knowledge concerning the writer of the "GRECO" letter and denies participation with an Espionage Ring. Advised his son RICHARD while in New York University became acquainted with Radicals but is not known to have belonged to any subversive group. EDWARD CHEYFITZ known to informant since 1935 and was known to informant as a "Radical labor man" but informant believes CHEYFITZ has become an upright citizen.

DETAILS: AT TOLEDO, OHIO

ALL INFORMATION CONTAINED
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 DATE 7/29/86 BY 3042 PWT/JS

Mr. CHARLES PACK, Vice President, Doehler-Jarvis Company, residing Room 930, Secor Hotel, advised that he has been associated with the Doehler Company since 1911 and has spent most of his time in New York City. He came to Toledo to live for one year in 1935 and returned to New York City. In 1940 he purchased a home at 54 Old Pond Road, Great Neck, Long Island, but sold same during the early part of the war and moved to Number 10 Park Avenue, New York City. Between 1944 and 1950 he lived for the most part at the Brittany Hotel, 10th and Broadway and for a short period of time rented an apartment at 945 Fifth Avenue, New York. He stated that he returned to Toledo in 1950 and has resided at the Secor Hotel since that time.

Mr. PACK was advised of the Bureau's jurisdiction and the contents of the GRECO letter. He denied having any knowledge of any Espionage Ring and stated he did not know anyone connected with the ROSENBERG case. He said he had no idea who could have written the letter and never heard of the word "GRECO" before.

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5 - Bureau (65-58236) 3 - New York (65-15348) 2 - Cleveland (65-2726)	ESP. DIV. STAT. SECT.

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Mr. PACK recalled that his son, ^{PACK} RICHARD, while attending New York University became involved with some individuals who were described by him as "Radical"—when asked for a definition of "Radical" he stated that he could not describe them as he had never met them but that his son had started out to reform the world and began reading books dealing with political and economic changes in government. He said he caused the books to be destroyed and his son soon forgot about entertaining any thoughts of political reform. His son belonged to no subversive group to his knowledge. *Ohio*

Mr. PACK stated that he met EDWARD CHEYFITZ through his son, RICHARD, in 1935 when RICHARD attended a dramatics class at Toledo University. He said he was greatly impressed with CHEYFITZ and put him to work in the Doehler-Jarvis Company. Immediately thereafter he and his family left the city to return to New York and he next heard from CHEYFITZ when he learned CHEYFITZ had become the leading figure in the Mine, Mill and Smelters Union in the Doehler plant in Toledo. He said that he talked to CHEYFITZ on numerous occasions since that time. At one point CHEYFITZ called on him and expressed the desire to obtain a better job. Mr. PACK stated that he made several contacts for him with negative results and he later was informed that CHEYFITZ was employed by ERIC JOHNSTON of the movie industry. Mr. PACK also said that CHEYFITZ had the reputation of being a "Radical labor leader." He believed that CHEYFITZ got this reputation from being at odds with all employers during his early years as a labor leader in Toledo. He has no definite information that CHEYFITZ ever belonged to a subversive group. The last information PACK has regarding CHEYFITZ is that CHEYFITZ enjoys an excellent reputation and has become an outstanding citizen. *Ohio*

- R U C -

CV 65-2726

ADMINISTRATIVE PAGE

The interview of CHARLES PACK was conducted by the writer and SA B. PAUL KOTOWICZ.

REFERENCE

Report of SA JAMES J. FARRELL, 8/31/53 at New York.
New York letter to Bureau 8/31/53.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (65-58236)
FROM : SAC, Philadelphia (65-4350)
SUBJECT: JULIUS ROSENBERG, et al
ESPIONAGE - R
(OO: New York)

DATE: 9-30-53

Handwritten initials

Handwritten letter 'e'

Handwritten '11'

Rerep JOSHUA D. ENSOR dated 9-22-53, at New York.

Lead for Philadelphia in rerep was covered, and results reported in report of WAYNE G. HUNT dated 9-15-53, at Philadelphia. RUC.

FCB: llw
cc: New York (65-15348)

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SAC, New York (65-15348)

September 29, 1953

Director, FBI (65-58236)

JULIUS ROSENBERG, et al
ESPIONAGE - R

Recent advertisements have appeared in the "National Guardian" announcing that Action Books, Room 2600, 165 Broadway, New York City, are releasing in the Fall the book entitled "The Atom Spy Myth - From Hiroshima to the Rosenbergs" by William A. Reuben.

You are requested to obtain a copy of this book when it is available and forward same to the Bureau.

APL:blb *blb*

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

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

(2)

Belmont
WAB
for me

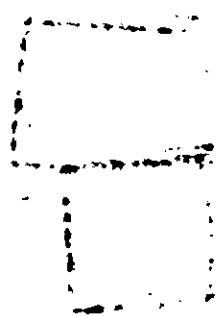
Let's see

"THE ATOM SPY MYTH"

Action Books (Room 2800, 165 Broadway, N.Y.C. 6) has announced for fall publication *The Atom Spy Myth—From Hiroshima to the Rosenbergs*, by William A. Reuben. This is the book on which Reuben, who wrote the original GUARDIAN articles on the Rosenberg Case in 1951, has been working for two years. Thesis of the book, which examines all the "A-spy cases" from the Canadian trials to the Rosenbergs in light of past and Washington cold-war moves on the domestic and world stages, is that the A-bomb spy hunt is "the greatest hoax in history." Advance orders are being taken at \$3 for a special edition autographed by the author.

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SAR



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National Guardian
DATED Aug 21, 1953
FORWARDED BY N.Y. DIVISION

65-58236-2054

ENCLOSURE

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: September 22, 1953

FROM : MR. D. M. LADD

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

- Tolson
- Ladd
- Nichols
- Belmont
- Mohr
- Winterrowd
- Tele. Room
- Holloman
- Gandy

SYNOPSIS

Walter Winchell column of September 21, 1953, reported article was due to appear in Police Gazette with "the official lowdown" on why the Rosenbergs didn't talk. The Director noted on Winchell column, "Get this and see what it says." The October, 1953, issue of Police Gazette contains article, "Terrifying Story The Rosenbergs Wouldn't Tell," by George McGrath. Review of article reflects silence of Rosenbergs attributed to their faithfulness to Communist cause and willingness to die rather than betray their associates. It points out the espionage activities of the Rosenbergs were more extensive than heretofore made public. Rosenbergs are portrayed as organizers of network of couriers and agents, who, by their refusal to talk, have prevented prosecution of scores of known Soviet spies in this country and Canada. It is noted much of the so-called espionage activity attributed to the Rosenbergs in this article is pure speculation on the part of the author. He links Rosenberg to Arthur Adams, Red Army intelligence agent in the United States who was involved in atomic espionage in 1944-45 and disappeared January, 1946. Rosenberg was MGB agent and Bureau investigation has not connected him with Adams in any way. Article plays up unquestionable guilt of Rosenbergs and states Communist campaign to save them started only when it was evident to Communists Rosenbergs would never talk. McGrath not identifiable in Bureau files. Attached is Police Gazette containing article.

ACTION

None. For your information.

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65-58236-2055

Attachment
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ESP SEC
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DETAILS

The Walter Winchell column appearing in the New York Daily Mirror of September 21, 1953, reported that the Police Gazette was due to appear with an article with "the official lowdown" on why the Rosenbergs wouldn't talk. Concerning this article, the Director stated "Get this and see what it says." The October, 1953, issue of the Police Gazette first appeared on the Washington news stands. It was noted that it contained an article, "Terrifying Story The Rosenbergs Wouldn't Tell," by George McGrath. A review of this article reflects that the author attributes the silence of the Rosenbergs to their faithfulness to the cause of Communism and their willingness to die rather than betray their associates. It points out to the reader that this article contains information on the espionage activities of the Rosenbergs which were more extensive than previously made public and which can be revealed now. It portrays the Rosenbergs as organizers of an intricate network of couriers and agents who transmitted classified material to the Soviets. It points out that by the refusal of the Rosenbergs to talk, numerous known Soviet spies in the United States and Canada have escaped prosecution. The author makes the statement that there are an estimated 160 Communist espionage agents in the United States and Canada who are plotting to destroy us. He does not give any basis for arriving at this figure. In relating the so-called espionage activity of the Rosenbergs, it appears that his conclusions are based strictly on speculation. He states that in addition to obtaining atomic information, the Rosenbergs also obtained the following:

1. Plans of our immediate postwar jet propulsion planes - plans which are now incorporated in the Russian Migs.

Note: The conclusion of the writer in number one is probably based on Rosenberg's known association with William Perl, aeronautical engineer formerly with the National Advisory Committee for Aeronautics (NACA), who received a five-year sentence on a Perjury conviction in June, 1953, arising out of his denials before a Federal Grand Jury of

his association with Rosenberg and others. Perl, in his position at NACA, had access to classified information on jet propulsion.

2. Obtained and passed on to Soviet Vice Consul Anatoli Yakovlev the latest designs of our radar equipment.

Note: The conclusion of the writer in number two is probably based on the fact that Morton Sobell, co-defendant of the Rosenbergs, was a radar expert. Max Elitcher, Government witness, testified at the trial that Rosenberg told Elitcher that Sobell was giving information to Rosenberg.

3. Kept the Russians supplied with a continual flow of blueprints dealing with developments in American anti aircraft gunnery.

Note: The conclusion of the writer in number three is also probably based on the testimony of Max Elitcher, an engineer formerly employed by the Navy, that Rosenberg attempted to recruit him for espionage in 1944. At the time, Rosenberg asked Elitcher what type of work he was doing and Elitcher answered that he was working on computers and fire control systems concerned with equipment to control the firing of missiles from guns. Elitcher testified he refused to furnish information to Rosenberg.

4. Provided the Russians with details of secret electronic devices for submarine warfare, as well as early plans for the atomic power installations in aircraft.

Note: The writer apparently came to the conclusion in number four from the testimony of Max Elitcher, who stated that in September, 1945, Rosenberg was in ^{co/flying} with him in Washington and asked Elitcher as to the type of work he was doing. Elitcher told Rosenberg he was working on Sonar and anti submarine fire control devices. David Greenglass testified at the trial that Rosenberg had told him he had received from "one of the boys" the mathematics for the propulsion of aircraft by atomic energy.

5. Secured details of a super secret experimental plan for establishing a "sky platform" hundreds of miles in space.

Note: David Greenglass testified at the trial that Rosenberg told him he had received information concerning a Government project on a "sky platform" from one of his contacts.

The author of this article links Rosenberg to Arthur Adams, a Red Army intelligence agent who was investigated by the Bureau in 1944-45-46. It will be recalled that Adams first came to the attention of the Bureau when he was in contact with Professor Clarence F. Hiskey, an atomic scientist. Investigation reflected that Adams had received information concerning atomic experiments being conducted in the United States. He disappeared from the United States in January, 1946. Bureau investigation has never connected Rosenberg, an MGB agent, with Adams in any way.

The writer of this article makes the statement that many of the FBI agents who worked on the Rosenberg case are convinced the Rosenbergs thought the Russians would snatch them out of danger. It is not known the basis for this statement by the writer. However, it is believed that evidence of the flight of Sobell to Mexico and the proposed flight of Greenglass, coupled with evidence presented at the trial by the Government that the Rosenbergs had passport photos made, was indicative that the Rosenbergs also intended to flee the United States.

The article plays up the unquestionable guilt of the Rosenbergs and points out that the Communist campaign to save them started only when it was evident to the Communists that the Rosenbergs would never talk.

A check of the Bureau's files fails to reflect any identifiable information with George McGrath, author of this article.

Attached is copy of Police Gazette containing this article.

THE NATIONAL

OCTOBER 25

AMC

POLICE GAZETTE

ESTABLISHED 1845

SPORTS—TRUE ADVENTURE—PEOPLE

Police Gazette's

**ALL-AMERICAN
BASEBALL TEAM!**

Gov't Testimony Warns...

**COLA DRINKS
MAY RUIN
YOUR HEALTH!**



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Terrifying Story The

ROSENBERGS

Wouldn't Tell!

ETHEL AND JULIUS ROSENBERG

65-58236-2055

NO MORE FLAT TIRES

No Tire Changing, Loss of Time

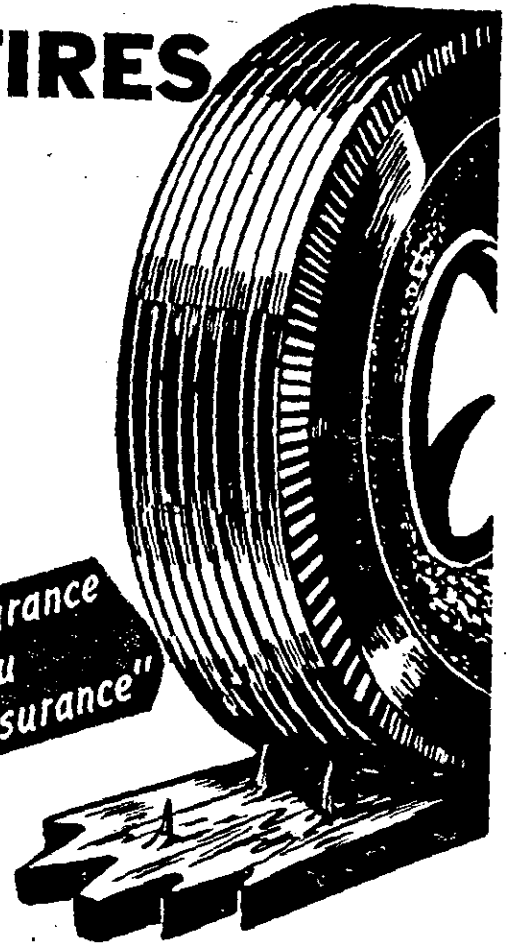
➤ No Danger or Inconvenience

SEALS PUNCTURES WHILE YOU DRIVE

Plus the added safety protection you and your entire family should have. Have you ever been so unfortunate as to get a flat tire at the most undesirable moment, when you had an appointment, when you were short of time, at a lonely stretch of road, or even worse, on a well traveled highway, with cars whizzing by to give you the fright of your life—or has your wife suddenly found herself with a flat tire and at a loss as to what to do? Here finally with SAF-T-GARD you can give yourself low cost insurance by making your tires puncture proof at a cost less than that of a single puncture proof tire or tube—on the market today!

SAF-T-GARD is a new scientific find that gives instant protection against FLATS, SLOW LEAKS or PUNCTURES or your money back! This protection is yours for less than \$2.50 per tire and in less than five minutes per tire! A complete set which gives protection for four tires is only \$9.95! so don't delay and phone your order in today or mail the convenient coupon below!

"LIFE Insurance
thru
TIRE Insurance"



HERE IS CONCLUSIVE PROOF!

These tests run by an impartial laboratory.

- 1: Applied tube of SAF-T-GARD as per printed instructions into each 8.00x16 tire of road test car. Tires were conventional type, well worn, with inner tubes that had been previously patched. Tires were then uniformly inflated to 32 lbs. pressure. Actual time consumed to insert SAF-T-GARD was approximately 1 minute per tire.
- 2: PIERCED each tire with three 1" nails and two 2" nails through tread puncturing inner tube. Car then was driven 10 miles, 5 miles on good roads, 5 miles on rough roads. Nails were removed and tire pressure rechecked. Average loss of air in each tire was approximately 1/4 pound.
- 3: Two 3/4" tacks and one 1" nail were then inserted into each tire on road test car, each nail and tack going through tread and piercing inner tube. Car was then driven for two days with tacks and nail still in tires over both rough and ordinary roads. Nail and tacks were then removed and pressure of tires rechecked. Average loss of air was less than 1/4 lb.
- 4: Car was then parked for two additional days. Recheck showed no further loss of air pressure.

CONCLUSION

Based on exhaustive road tests our findings indicate that SAF-T-GARD eliminates flat tires created by ordinary punctures. This is accomplished by the effective self-sealing properties of the product.

With the addition of SAF-T-GARD in your car's tires you find that the self-sealing compound (very much like that in the tanks of our war planes) will instantly fill any holes or cracks developed through bits of metal, nails, glass, etc. In addition the tires on your car will show a marked tendency to stay in balance brought about through the effects of the centrifugal force effected by the compound.

WHY TAKE ANY FURTHER CHANCES with your LIFE and POSSESSIONS? Order a set of SAF-T-GARD today, only \$2.49 per tube or all four for \$9.95.

SPECIAL NOTE: Fleet Operators, Truck Owners and Taxicab Fleet Operators ask for our special proposition.

LABORATORY and ROAD TESTED



ARROW COMPANY Dept. PG-9
400 Madison Avenue
New York 17, N. Y.

Please send me tubes of SAF-T-GARD at \$2.49 each (set of 4 for \$9.95).

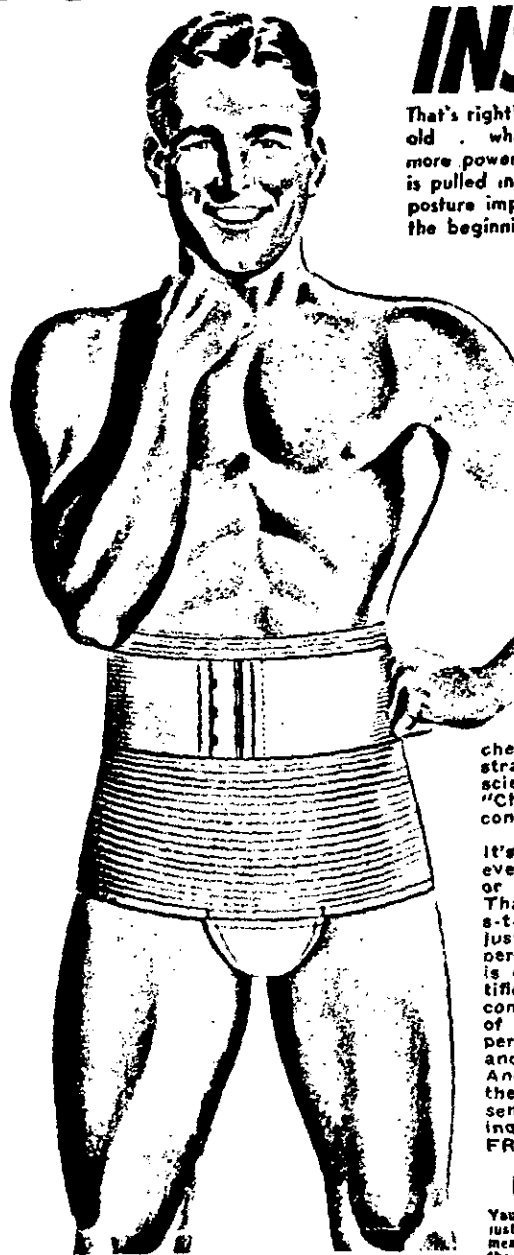
- I enclose payment. You pay postage.
 Send C.O.D. I will pay postman plus postal charges.

NAME _____

ADDRESS _____

CITY _____ ZONE _____ STATE _____

FAT MEN! SKINNY MEN! YOUNG MEN! OLD MEN!
NOW YOU CAN HAVE A MORE
POWERFUL LOOKING BODY
INSTANTLY! And Be Stronger
 From Head to Toe—
IN 3 SHORT WEEKS



That's right! Whether you're fat and flabby . . . "skinny as a rail" . . . young or old . . . whatever your physical appearance may be—now you can look stronger, more powerful, more manly instantly! Yes, in a matter of seconds your stomach is pulled in, chest thrown out, shoulders back, your back straightened . . . your posture improved . . . you look better and feel better at once! And that's only the beginning! You'll actually BE stronger, tougher, more muscular . . . well on your way to having a power-packed HE-MAN BODY in just 3 short weeks! How is all this possible? IT'S EASY!—with the sensational Ronnie double-barreled method of acquiring a he-man appearance. Here's all there is to it! First you get the amazing new health supporter belt . . .

The CHEVALIER

No matter what you may look like now, the sensational "Chevalier" makes you appear stronger, more masculine the minute you put it on! If you're overweight or have a bulging "old man's" mid-section—"Chevalier" instantly lifts your "bay window", flattens it, and presto!—you look younger, slimmer, more athletic! If you are skinny, underpowered, round shouldered—"Chevalier" straightens you up, squares your shoulders, throws out your chest . . . makes you look taller, straighter, huskier! Yes, the scientifically constructed "Chevalier" brings you vital control where you need it most!

It's really great to wear! . . . even all day long! Will not bind or make you feel constricted. That's because the Wonder s-t-r-e-t-c-h cloth plus the adjustable built-in strap bring you personalized fit. The "Chevalier" is designed according to scientific facts of healthful posture control—fits snug at the small of your back. It's made by experts to give you the comfort and healthful "lift" you want! And best of all, you can get the "Chevalier"—PLUS the sensational 3-Week Body-Building Course—ALL ON 10 DAYS FREE TRIAL!

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POLICE GAZETTE

Vol. CLVIII October, 1953 No. 10

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JUSTICE OVERTAKES THE ROSENBERGS
Ethel and Julius Rosenberg are shown on our front cover separated by a wire screen in the prison van that took them to jail following their conviction as atomic spies, in March, 1951. Stays of execution kept them in Sing Sing, where they were separated for more than two years.

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Terrifying Story the

ROSENBERGS Wouldn't Tell!

There are an estimated 160 Communist espionage agents in the U. S. and Canada who are plotting to destroy us. The Rosenbergs could have given evidence against them... but they chose to die rather than openly renounce their betrayal

by George McGrath

WHEN Sing Sing's executioner threw the switch in his tiny control room behind New York State's electric chair and shocked Julius and Ethel Rosenberg into legal death, scores of known Soviet spies in the U.S. and Canada relaxed for the first time in more than three years—and the Federal Bureau of Investigation lost almost its last chance to bring them to justice.

For the Rosenbergs died without talking. Faithful to the last to the brutal, misguided political creed of Communism they had embraced; undaunted by positive proof that their Red masters had turned against them, against the Jewish religion they were born into, and against the very proletariat for which they had struggled—the two traitors steadfastly refused to give evidence against an estimated 160 Russian agents in the United States and Canada.

They died with a courage and calmness worthy of a cause other than the despicable betrayal of their native country and the possible murder of many millions of people all over the world, through their trafficking in the secrets of the atomic and hydrogen bombs (apart from many other vital war secrets) with the ruthless enemy of the civilized world.

The Rosenbergs will go down in infamy as the two American spies who handed the innermost secrets of the A-bomb to the Soviets and thereby brought this country into critical danger. But their crime is even greater than that; and this the American public has never been told.

For the Rosenbergs were not primarily spies—although Julius personally stole a secret proximity antiaircraft fuse that was later used by Russian and Chinese flak gunners to shoot down our flyers in Korea. They were more dangerous than spies.

The Rosenbergs—particularly Ethel, the seemingly placid and contented mother of two children—distorted and twisted the mind of her brother, David Greenglass, into betraying his country; they planted and cultivated the poison of Communist treachery in the minds of scores of impressionable American youths who, if left alone, would have grown up to be patriotic citizens, they paid, with Russian gold, for the schooling of these youths—not to make them better Americans, but so that their acquired scientific.

(Continued on next page)



Ethel and Julius Rosenberg (below) will go down in infamy as traitors to the United States, but the enormity of their crimes is told here by the *Police Gazette* for the first time. The Rosenbergs did not have to die. They could have cheated the electric chair by exposing the sinister Soviet spy ring operating throughout America. But they refused to talk—and by their silence, they continue to betray their country in death as they did in life. Photo above shows casket of an American soldier killed in Korea by Communists who benefited from Rosenbergs' betrayal of war secrets to Russia—as demonstrators pleaded for clemency for them.





Alan Nunn May, British atomic scientist, was arrested in Canada after a probe based on information supplied by former Soviet code clerk.



Klaus Fuchs, a British atomic scientist, was arrested in England after it was determined that he was "Fuchs" named in seized May papers.



Harry Gold, known as "Raymond" by Fuchs, was arrested in Philadelphia after months of investigation. Fuchs's confession implicated Gold.



David Greenglass was named by Gold as an important member of Soviet spy network.

HOW SECRET AGENTS IN SOVIET SPY RING WERE



Ethel and Julius Rosenberg (shown with U. S. deputy marshals) were trapped when Greenglass admitted they were responsible for recruiting him as a Soviet spy.

THE ARREST AND EXECUTION OF ETHEL AND JULIUS ROSENBERG RESULTED FROM A LONG CHAIN OF INVESTIGATION — BUT THE LAST LINK OF THE CHAIN WILL NOT FALL INTO PLACE UNTIL THE SOVIET SPIES AT LARGE ARE CAUGHT AND IMPRISONED



The Rosenbergs refused to talk—thus protecting from arrest at least a dozen scientists, chemists, and engineers who continue to plot against America.

(Continued from preceding page)

electrical, and engineering knowledge would make them better spies for the Kremlin. They organized an intricate and closely woven network of couriers and agents who transmitted classified material dealing with war weapons and industrial production methods. The full extent of the Rosenbergs' complicity and responsibility is revealed here in the *Police Gazette* for the first time. Although the crime for which they were electrocuted was officially labeled the "theft of A-bomb secrets," this traitorous act fell into their laps by sheer coincidence. For it was by pure chance that David Greenglass was sent to the Oak Ridge, Tennessee, and later to the Los Alamos, New Mexico, atomic bomb projects. And it was by even purer chance that in these projects he was engaged, as a machinist, in the actual construction of the explosive lens mold used for casting the high-explosive detonator of

this atomic weapon. Had it not been for these coincidences, the Rosenbergs might have been implicated only indirectly in this atomic conspiracy. On other counts, however, they were just as guilty of procuring national defense secrets for Russia and would have merited the death penalty for any one of these other crimes. According to government investigators who probed Soviet Atomic Espionage, four persons were directly responsible for providing the Soviets with the innermost secrets of the atomic bomb, its manufacture on a large-scale basis, and the "trigger" apparatus which provoked the nuclear blast. These four were Dr. Klaus Fuchs, German-born naturalized Englishman, now serving a fourteen-year sentence in an English prison; Dr. Bruno Pontecorvo, Italian-born naturalized Englishman, who fled to Russia in 1950; David Greenglass, American-born brother of Ethel Rosenberg,

now serving a fifteen-year sentence; and Dr. Allan Nunn May, native-born English scientist, who was released early this year after serving six years and eight months of a ten-year sentence. U. S. agents told *Police Gazette* that these four "have advanced the Soviet atomic energy program by eighteen months as a minimum. In other words, if war should come, Russia's ability to mount an atomic offensive against the West will be greatly increased by reason of these four men." Julius and Ethel Rosenberg organized the communications link between two of these traitors and the Kremlin—Dr. Fuchs and David Greenglass. Klaus Fuchs provided the original theoretical knowledge behind the present-day manufacture of the Soviet A-bomb and revealed the most dangerous information. It is not an exaggeration to say that Fuchs has endangered the safety of more people than any other spy in history.

HEADQUARTERS

U.S. ATOMIC ENERGY SECURITY SERVICE



Armed guards stand watchfully outside the headquarters entrance to the atomic bomb project in Los Alamos, New Mexico. But despite this security, David Greenglass, as a machinist employed on the project, was able to pass out top-secret information on the atom bomb to Russia.



Passers-by look at door to Pitt Machine Products in New York. Shop was owned by Rosenbergs, and entrance was used by a stream of Soviet agents.

Nevertheless, the F.B.I. stated before the New York Court trying the Rosenbergs that without the detailed "trigger" information obtained by the Rosenbergs from Ethel's brother, the Soviets might have spent many months in trial-and-error experimentation. As the government investigation report states: "Greenglass, in the narrow but important field of his own work upon high-explosive lens molds, was able to convey the practical data and know-how beyond Fuchs's understanding."

Why, then, were the Rosenbergs condemned to death when Fuchs got only fourteen years, Greenglass only fifteen years, and top courier Harry Gold received the maximum thirty years' prison sentence?

It was because the Rosenbergs were a key link in the tortuous chain of Soviet espionage. From their unobtrusive apartment in Knickerbocker Village, New York City, the Rosenbergs operated like spiders in the midst of a complex web of treachery and intrigue, which spread throughout many other cities in the United States.

It is not generally known that the Rosenbergs procured and passed to the Russians a steady flow of information apart from the A-bomb crime for which they were convicted and the self-confessed theft of the proximity fuse (which Julius boasted he had taken out of a wartime factory, concealing it in his lunch pail). The Rosenbergs also:

1. Obtained plans of our immediate postwar jet propulsion planes—plans which are now incorporated in the Russian MIGs.
2. Obtained and passed on to Soviet Vice-Consul Anatoli Yakovlev the latest designs of our radar equipment.
3. Kept the Russians supplied with a continual flow of blueprints dealing with developments in American antiaircraft gunnery.
4. Provided the Reds with details of secret electronic devices for submarine warfare, as well as early plans for the atomic power installations in aircraft.
5. Procured details of a super-secret experimental plan for establishing a "sky platform" hundreds of miles in space—a project that, to date,

has been a subject for science fiction and comic strips, but which proved to be more than a dream or a figment of the imagination when discussed by scientists during the Rosenbergs' trial.

These are but a few of the reasons for which the Rosenbergs were given the death sentence by Judge Irving R. Kaufman.

Right up to the last few minutes, before they started on that "last mile" walk to the electric chair in Sing Sing, Ethel and Julius Rosenberg knew their sentence would be commuted if they talked. They knew that, under the law, the maximum sentence they would be given was thirty years. If they squealed and told all they knew about the Soviet espionage rings, they most likely would be released on parole within fifteen or twenty years.

If the Rosenbergs had talked, their testimony would have caused the arrest of about a dozen scientists, chemists, and engineers who are known to have Communist affiliations and whose activities have been denounced before the Un-American Activities Committee of the House of Repre-

sentatives—but who could not be arrested for lack of direct evidence. These men will continue to be safe until evidence against them can be uncovered. Government and F.B.I. dossiers are bulky with information that points an accusing finger, but the law requires incontrovertible testimony.

Government agents are convinced that the Rosenbergs could have given direct evidence concerning more than one of the known twenty-odd Communist cells of espionage now operating here and in Canada. Although these cells are rigidly compartmentalized, the Rosenbergs had reached a position of eminence in the Soviet spy network that enabled them to have contacts with more than one group. They not only organized courier service in the New York area, but were in charge of "pick-ups" in Philadelphia, Chicago, Cleveland, and both the Oak Ridge and the Los Alamos atomic projects.

One of Julius Rosenberg's agents, Harry Gold (now serving a fifteen-year prison sentence), acted as go-between for both Dr. Fuchs and David Greenglass, as well as contact man for the entire Philadelphia area. He was one of many such couriers reporting to Rosenberg—who was responsible to his Russian overlord, Vice-Consul Yakovlev.

Julius Rosenberg's importance to the Soviet Union can be gauged by the fact that the Russians awarded him their highest civilian decoration—the Order of the Red Star. He was entrusted with the most modern microfilm apparatus. Even the console in which it was hidden was given to him by the Soviets, together with engraved wrist watches as souvenirs of their gratitude.

How did so many suspects manage to leave the U.S. and avoid arrest? What was Soviet Vice-Consul Pavel Mikhailov's role in the A-bomb espionage ring? Who were the contact men between Arthur Adams, a top-ranking Russian agent, Professor Clarence F. Hiskey, an analytical chemist, the Rosenbergs, and the Soviet diplomats? What documents?

(Continued on page 31)



On this corner, at 42nd Street and Third Avenue in New York City, Soviet espionage agent Harry Gold transferred atomic secrets he had received from David Greenglass to Soviet Vice-Consul Anatoli Yakovlev.

Police Gazette's

ALL-AMERICAN BASEBALL TEAM

With apologies to absolutely nobody, we pick the superstars of today's big leagues — the Dream Team that can lick any other team you can name

by Hy Turkin

**Police Gazette's Baseball Editor
Author of The Official Encyclopedia of Baseball**



MANAGER
Paul Richards, Chicago White Sox



FIRST BASE
Ferris Fain, Chicago White Sox



SECOND BASE
Al Schoendienst, St. Louis Cardinals



THIRD BASE
Ed Matthews, Milwaukee Braves



SHORTSTOP
Pee Wee Reese, Brooklyn Dodgers



LEFT FIELD
Stan Musial, St. Louis Cardinals

BASEBALL has its own "four hundred." The elite of the game are the twenty-five players on each of the sixteen major-league club rosters: twenty-five times sixteen, for a literal as well as a figure-of-speech "four hundred." These are the men who have realized the dream of every American boy by becoming big leaguers.

But who are the superstars? If you had to risk your home, your savings, or your happiness on your choice of a team, whom would you pick for each position? In a single game—or a single series—could they beat any other team?

Even without gambling for such high stakes, the selection of a dream team is a fascinating pastime. Now that the 1953 baseball season has rolled into history, let's cull over this \$20,000,000 worth of talent in the majors and pick the *Police Gazette's* All-American Baseball Team.

Warning: Some of the selections are loaded. The players named don't always have the highest batting

averages or the biggest reputations. Instead, we chose the so-called ballplayer's ballplayer—the man who can be counted on in the clutch. It would make just as much sense selecting an All-American Baseball Team purely on the basis of figures as handing the Atlantic City judges a full set of measurements of "Miss America" contestants and asking them to name the winner strictly from that.

So, with an apology to absolutely no one, and with a challenge to *Police Gazette* readers to name a better man at any position, we proudly present the 1953 All-American:

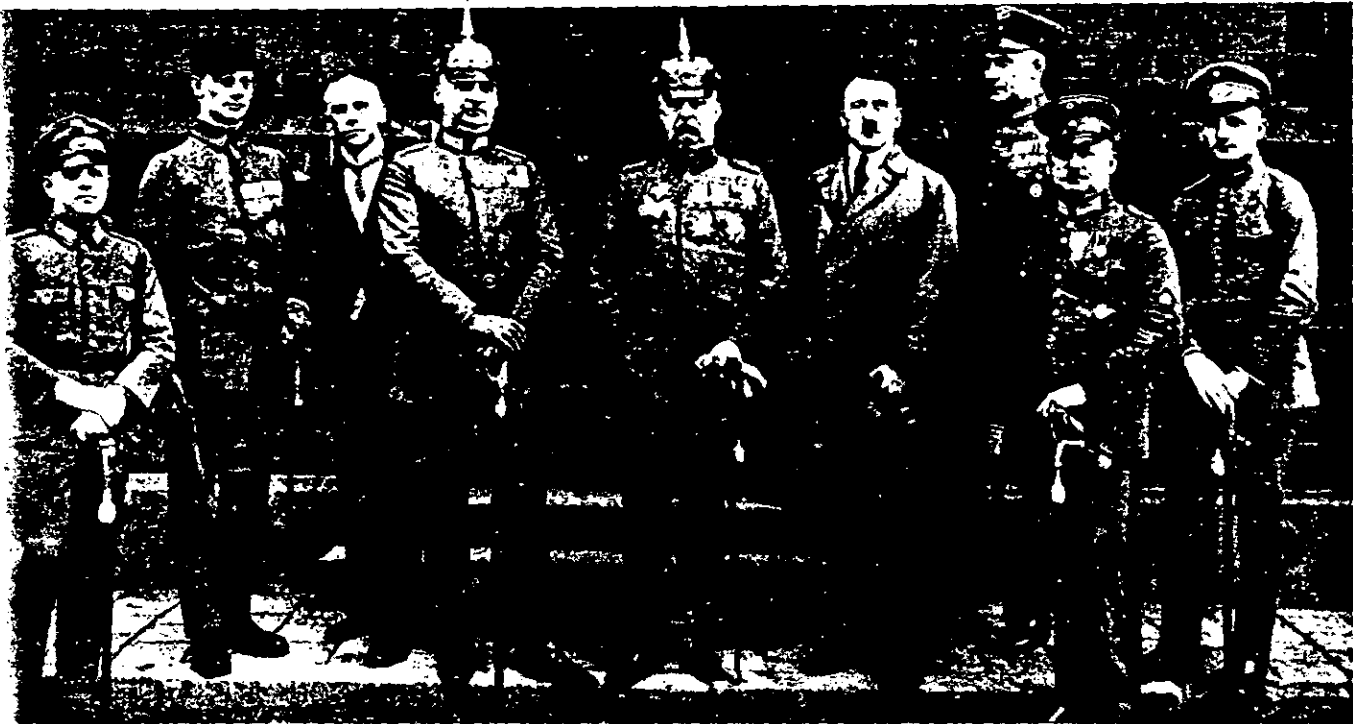
First Base: Ferris Fain, of Chicago White Sox. Even in his first three years in the American League, when his batting average languished in the mediocre two hundreds, Fain was mentioned in enemy dugouts as the finest all-around first baseman in baseball. He displays pure mitt magic. There is no surer grabber of

a thrown ball. Anything flung within a seven-foot radius of first base lands in his glove. And there is no deadlier fielder of a batted ball. His range is so wide, his anticipation so keen (on bunted balls), and his arm so accurate that year after year he leads the league in assists. Add to all these defensive assets his newly awakened bat, which has ranked him among the league leaders for the last three seasons, and the result is a first sacker who is a throwback to the days of Hal Chase.

Second Base: Al Schoendienst, of St. Louis Cardinals. This redheaded scourge of the National League has performed brilliantly when needed at any infield position. But he has found his best niche at the keystone position, and the lanky yet graceful veteran has dominated second base so strongly this year that he polled the heaviest vote in the league for the All-Star Game last July. This freckle-faced ex-GI holds no fewer than ten major-league batting and

Hitler's Bloody Beer-Cellar Plot

Screaming his hatred for all who stood in his way, the Nazi leader schemed and lied and cheated until his revolutionary march in Munich paved the way for world-wide recognition



Here is how the leaders of the Munich revolt appeared at the time of their trial. Hitler, who fled when the firing began, stands defiantly next to General Ludendorff (center photo), who calmly walked on toward the enemy guns. Roehm, the brutal soldier of fortune, is second right.

by Alan Bullock

In the first two installments of this series, the author told of Hitler's childhood in Austria, his growing passion for political hatred for the Jews, his experiences in World War I, his resolve to avenge the humiliation of Germany's defeat, and how he became the fiery, cunning, impassioned leader of the Nazi Party in Munich. Now, continue Hitler's Life Story:

THE situation in Germany failed to improve with the passage of time. Insecurity and hatred haunted the land—hatred not only for the French and British, who had won the war and imposed their terms on Germany—but also for the Republican regime, which the extremists of both the Left and the Right were bent on overthrowing.

In 1923 this long-drawn-out double crisis was brought to a head by the French decision to march troops into the Ruhr on the excuse that the Germans were not keeping up their reparation deliveries, and by the total collapse of the German currency.

In normal times, the rate of exchange was four marks to a dollar. By August 1, 1923, it had become a million marks to a dollar; by November 1, a hundred and thirty thousand million. Trade came to a standstill; throughout Germany there was unemployment, bankruptcy, hunger, and despair.

Such a situation, in which the authority of the state was shaken to its foundations, suited Hitler admirably. The trouble was that it had come too soon, before he had the following or the

backing to play a major role in the crisis.

His one chance lay in persuading others who commanded greater resources and authority to take action along the lines he wanted and in co-operation with him. This was not at all easy; he knew none of Germany's political leaders and had no influence at all with the big parties.

The situation in Bavaria, however, was a little more promising. The Bavarian state government was on bad terms with the central government in Berlin. There was much talk in Munich of breaking away from the German Republic and re-establishing the Bavarian monarchy; even of setting up a separate South German State, to include Austria as well as Bavaria.

Hitler's first efforts to persuade the Bavarian

(Continued on page 27)

BIGGEST LITTLE GAME ANIMAL

It takes a keen eye and a quick trigger to kill rabbits—for they are the toughest of targets!



by Ted Jones

LIKE many another hunter, I cut my gunning teeth on cottontail rabbits, and I have retained my enthusiasm for them ever since. There was nothing fancy about those early campaigns. My equipment consisted of a single-barreled twelve-gauge hammer gun, three or four shells at a nickel apiece, which I carried in a paper bag, and a pair of youthful legs as yet unspavined by the years. Thus outfitted, on autumn Saturdays I roamed the brushy swales and fence rows within walking distance of town—and after the usual apprenticeship, I finally caught up with a bunny. I remember the occasion well.

I'd been wandering through swamp and briar tangle for half the morning, and I'd already loosed two shots at hustling cottontails. Now I had only one shell left to put meat in the pot. At last I found myself in a cut-over wood lot with piles of slash strewn among the stumps. I gave each of these brush heaps in my path a thorough going-over, stamping them from end to end as an old-time local gunner had taught me.

Sure enough, as I waded into a sprawling heap of birch tops, a rabbit scurried from its edge and bounced away toward the sanctuary of a fern-choked gully. Perched atop the brush pile, I tracked his bounding form with my gun muzzle and let drive. Fortunately, we both zagged at the same time. The charge of number-six shot caught him in midleap and bowled him over.

Thousands of cottontails are bagged in a like manner every year, for they head the list of favorite game targets. More bullets are directed at this teeming tribe than at any other wild creature; and more rabbits annually find their way into freezers and skilllets than all other game birds and animals combined.

Why Rabbits Are Popular

There are several reasons for this. For one thing, cottontails are to be found in practically every field and wood lot from Maine to Texas, and from Florida to Washington. Not everyone can shoot quail over a field trial champion or stalk a grizzly bear across a mountain rock slide, but anyone with the price of a box of shells can have a time for himself in the cottontail covers.

Furthermore, open seasons on bunnies are liberal—extending in most states from early autumn halfway through the winter. And there is the matter of sheer numbers. Working overtime, cottontails manage to produce three families a season, numbering some eighteen youngsters. Nine of these will probably be does, each of which will produce eighteen offspring, or 162 rabbits, which in turn—Well, you get the idea.

Scores of rabbits are bagged each season by pheasant hunters, since both cottontails and ringnecks inhabit the same type of cover. I can count on at least three or four bunnies every fall, routed out by my springer spaniel as a by-product of trips after pheasants.

Most of the cottontails that make up the annual bag, however, are shot ahead of tail-wagging, silver-tongued beagles, and this is the acme of the sport. There's a thrill that's hard to beat in following these lyrical little hounds that were put on earth for no other purpose than to chase rabbits.

As grouse and quail grow scarcer, more and more hunters are turning to beagling—and the hundreds of sanctioned field trials held toda all over the country attest to the popularity of these merry little music makers. The trials have resulted, too, in a marked improvement of the breed, and today's thoroughbred beagles are far cry from the nondescript rabbit dogs of few generations ago.

We Go A-Hunting

When October's fire has burned to gray November ashes, when the bird season is only memory—rabbit hunting with beagles comes into its own. Cold weather seems to put ginger in rabbits and make them eager for a chase. I remember one frosty November day when Charlie Drake turned his pair of beagles loose in Timber Swamp.

We knew there were plenty of rabbits in that tangled laurel covers, for we'd run the dogs there all through the late summer—sitting on the side hill listening to the racketing chorus swelling and fading around us. This time we for keeps.

The dogs pattered away among the evergreens while Charlie and I stood on the ridge with the sibilant whisper of chickadees in the bushes overhead. All at once, a sharp falsetto yelp rang out beside the brook.

"That's Spot dog!" Charlie said, and he slipped a couple of sixes into his gun as the high-pitched note rose again.

We caught a glimpse of Tiny flickering among the trees, and a moment later her alto mus-

(Continued on page 24)

CONFESSIONS OF A BROADWAY GAMBLER—6

by Anthony Marrone

The author of this article was one of the biggest gambling operators on Broadway. In previous installments of this series, he told how he teamed up with another cardsharp, Don Pasquale, to dip sectors from Maine to California. Last month, he described how he and Don Pasquale plotted to cheat Dapper Dan Collins in a card game and then win back money he'd swindled from a friend of Don Pasquale's. Now, go on with the story:

The next day, we met Dapper Dan Collins in the hotel lobby and went up to a suite. Dan hardly spoke a word to me, and he lightened right up when he saw Don Pasquale. We made a rule that anyone caught cheating—and the word was caught—would forfeit whatever money he had on the table. Then we started to play.

Dan's face was tense and determined. He twisted his mouth into a slight sneer that seemed to say, "So you Johnny-come-latelys think you can beat me. Well, I'll soon show you how mistaken you can be."

The game had been in session for over an hour, and nobody's bankroll had been damaged, as we both played a very cautious and tight



Arnold Rothstein relaxes on the beach with Iozz Norton, the Ziegfeld Follies beauty who became his girl friend. A big-time gambler, he was one of the most feared men of his time.

Gambling With Guns

game of stud. Every time I felt tempted to raise and try to freeze him out, I remembered he was a cool, experienced player, and I sat tight. I chased away temptation and sat playing patiently and silently, waiting for an opportune moment to make my move.

Up to that time, I had fed Dan a number of lummy moves; that is to say, I would make the same sleight-of-hand movements with my fingers, but I did not switch a card. I did that to get him accustomed to seeing my hands move in certain directions without associating any cheating moves.

Dan never blinked an eye or betrayed any motion or recognition. So I made my first genuine move right under his nose. I palmed an ace, one-handed, and he never knew it. The game

Legs Diamond was nobody to fool around with. He'd just as soon fill a guy with slugs as fill his glass with a fresh swig of prewar whiskey . . .

went on, but I held onto my ace. I was waiting for another ace to fall face up to me and for him to get a pair of pictures. It didn't take long. The play was set for the kill.

My ace fell back to back with the hole card, and Danny Boy got himself a pair of kings—to judge by the expression on his face and the way he raised the bet. I called and just sat back, content in the knowledge that at last I was going to bust this arrogant braggart right out of the box for his whole \$25,000. I had two more moves to make, and I wasn't worrying about them. My whole scheme was based on that one word—"larceny." I knew Dapper Dan had larceny in his heart. I knew he would fall for my first trick, and then I would have him bottled up and waiting for the kill.

Somewhere between picking up my hole card and lighting a cigarette, I exposed it just enough for Dan to get a quick peek at it. I then laid it down on the table and started betting. He tore right into me with a good-sized bet. I called, and as it was his deal, I had time to pick up my hole card and switch in my ace as he dealt me the next card. I hesitated for a few seconds to throw him off, and then made a fairly good-sized bet. He just covered.

The last card was dealt and no outside pair was showing anywhere. I knew I had him beat—

a pair of aces to his pair of kings. I hesitated a few seconds, then bet my whole bundle. I knew Dapper Dan would cover the bet. He did.

Quickly, I turned over my hole card and tossed the ace on the table, right under his nose. He was startled, as though he couldn't believe his eyes. So while stretching out my arms to rake in the pot, I palmed the original hole card back into the deck beside him—right in the center of the unused cards. I did it in one easy movement as I scooped up the \$50,000 lying on the table. Then it must have hit him. Quickly, he grabbed the tickets and gave them a fast count. By the time he finished, I had the money right in my pocket.

"What's the matter, Dan?" I asked. "Did you lose something?"

"No," he sneered. "But I thought maybe you did."

"What!" I said. "Do you mean to say that I, a Johnny-come-lately, could beat you at a card table with a move right under your nose. It's fantastic, and nobody on Broadway would ever believe it." I laughed right in his face.

Dan's face colored a bright red. Then he went

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William J. Fallon (left) was the mouthpiece for Rothstein. Dapper Dan Collins (right) borrowed \$25,000 from Rothstein and lost it to the author.

CARTER K.O.'s 'EM with FEAR



Jimmy Carter cocks his fist for another jawbreaker as ex-lightweight champ Ike Williams goes down for second knockdown in title bout at Madison Square Garden.



Mexico's Lauro Salas (right) pummels Carter's ribs during championship fight in Chicago. Carter regained crown, which he had lost to Salas, with unanimous decision.



Archie Whitewater hits canvas after Carter belts him on jaw with a right cross. Jimmy won decision in nontitle bout held in Oakland.

by Lester Bromberg

AMONG his South Ozone Park, N. Y., neighbors, Jimmy Carter is known as a pleasant and conscientious family man. But in boxing rings around the country, he has the reputation of a "dark destroyer." The mere menace in his fists has been enough to paralyze foes and make them easy K.O. targets.

What happens? Contenders beat their way impressively to earn a crack at Carter's lightweight crown. They sign for a title bout—all the while making with the brave talk. But underscoring their words is always a whistling-past-the-graveyard tone of bravado. The challengers are really paralyzed with fear. By ringtime, they're scared so silly that they're easy fodder for Carter's knock-'em-cold reputation. It's a ring reign of terror that has no parallel since the heyday of Sugar Ray Robinson and Joe Louis.

Dynasty of Dynamite

Robinson never had trouble getting opponents. Neither did Louis, even when he was reduced to his Bum-a-Month tour. In the same way, boxing's latest bogeyman, Carter, has no dearth of 135-pounders who say they're eager to meet him in the roped arena. But they only talk big, because they all want a crack at the big title-fight money. Actually, they all have tons of awe over their division's "one-man plague."

The millions of TV fight fans who saw Carter bludgeon Tommy Collins from pillar to post this year—and soon afterward wipe up the Madison

Square Garden floor with the favored challenger, George Araujo—realized that Carter had them more than half-beaten before he even climbed through the ropes. It was Robinson and Louis come to ring reality again!

Robby and Louis packed so much power, they could paralyze their foes with fear before a single blow was struck. Kingfish Levinsky staged a sitdown strike in his dressing room the night he was to meet Louis, and had to be pushed through the ropes of the Chicago Stadium arena. Before round one was over, they were carrying the Kingfish back through those same ropes. And remember how Max Baer quit to Louis on his knees?

The next man in this Dynasty of Dynamite was Robinson. When he faced a worthy challenger in George (Sugar) Costner, who had a knockout string of eleven straight, the challenger suddenly recalled Robbie's murderous reputation. Poor Georgie choked. He was cold-conked in the first round.

Carl (Bobo) Olson was also seized by panic the first time he faced Robbie. He forgot his own offense and simply concentrated on avoiding the champ's firepower all night. But Robbie landed in the twelfth, and Olson promptly crumpled.

And now the latest scourge-of-sock to inherit the killer's mantle from Louis and Robinson is Jimmy Carter. The mild-mannered citizen, the virtually unknown titlist of the past few years, has suddenly become a dynamic destroyer. How?

It began with his title defense last April 24 in Boston, when a stubborn and dilatory referee permitted Tommy Collins, a built-up featherweight local pride, to be hammered to the canvas ten times before calling it quits in the fourth

round. Television viewers were worried for Tommy's life, and thousands of them sent anguished complaints to local papers, congressmen, and boxing commissions. "Scandalous slaughter" was one of the more polite terms used to describe the butchery.

But the ones who howled loudest at the blood bath were back at their TV sets again on June 12, when Carter added to his murderous reputation with a body-bombing ruination of George Araujo—a ringtime betting favorite and the acknowledged number-one contender. Araujo hit the deck three times before Carter finished him off in the thirteenth.

Araujo's Early Fear

Though Jimmy had first won the lightweight title in the Garden two years earlier, with a fourteenth-round knockout of Ike Williams, these blastings of title pretenders didn't conform to the familiar picture of Carter. He had been regarded as a plodder—a guy who could punch with fair authority but without a destroyer's spark. He also was regarded as an in-and-outer. It was difficult to overlook three fifteen-round fights with Lauro Salas, the lukewarm Latin-winning, losing, winning.

But as Red Buttons would say, "Ho, ho, ho! Strange things are happening!" One of the strangest had an important bearing on Araujo's knockout by Carter. And it occurred at the Collins fight.

A newspaperman, meeting Araujo in a restaurant that afternoon, asked, "What do you think of the fight, George?"

"This thing—or my fight with Carter?" Araujo laughed, adding, "I'll beat Carter. He isn't much hitter; he isn't too much boxer."

The lightweight king has a knock-'em-cold reputation that paralyzes his foes with fear—but in their pre-fight estimates, his opponents insist they'll lick him...



Fight fans were outraged at Carter's Boston massacre of Tommy Collins. Carter won with a T.K.O. in 4th round after flooring Collins ten times. The referee was blamed for the blood bath.

Directly after the ten-knockdown debacle, the newspaperman ran into Araujo in the dressing room.

"I didn't expect much from Collins," Araujo said. "Carter is about what I figured him to be."

But the look in his eyes was that of a man who has seen something that disturbed him. To be blunt, he appeared scared. And when he entered the ring at Madison Square Garden six weeks later, he seemed terrified.

Terror Takes Over

From the first bell, Araujo was in a panic—even while he was winning rounds. And many spectators had the fight even, or close to it, at the end of twelve. The pay-off on Araujo's confusion was his failure to take a count on either of his trips to the floor in the ninth round.

"You allow for things," Frank Travis, Araujo's manager, said later, "but when a cool, smart kid like George jumps right up twice, you know he's not himself."

Coming events invariably cast a shadow, but in all of Araujo's fifty-two prior fights there hadn't been a knockout defeat. He had lost only two of his total, compared with fifteen of eighty-two for Carter.

George had long been guilty of the dangerous habit of holding his left guard low, but he had the compensation of a dependable chin and speed afoot. This night his chin failed him; he neglected boxing to slug.

Another factor that cropped up in Araujo's state of being bewitched, bothered, and bewildered was his loss of punching power. He never set himself long enough to get anything into his shots—in spite of a record which showed he'd scored thirty knockouts in fifty-two starts to Carter's twenty-two in eighty-two. Ironically, one of the K.O. victims of the Providence youth was Joe Brown of New Orleans, who holds a decision over Carter.

To furnish readers with a picture of what



Another victim of Carter's fists (and fear of his murderous reputation) was George Araujo, shown crumpling to defeat in 2 minutes 16 seconds of the 13th round in title bout at Madison Square Garden. Carter won decision by a T.K.O.

other contenders think of Carter's killer mantle, the Police Gazette contacted leading lightweights throughout the country. Notice how their statements resemble the ill-fated Araujo's prefight estimate!

Johnny Gonsalves, the lanky Oakland, California, boxing stylist, said, "I don't know what got into Araujo. All I know is that Carter isn't a fast mover. Anybody who can box, has his wits, and is in shape should be able to do all right with Carter. I consider Paddy DeMarco a meaner guy to fight. He's got a decision over me in California with his bullying, butting style. I got another chance at him in Boston and I took care of him there. I'd love a crack at Carter for the title."

DeMarco, a rugged Brooklynite who fought Araujo to a split decision in the Garden early this year, said, "There's no mystery about Carter. You give him punching room and he'll nail anybody. I'd be on him like a mustard plaster. I'd tire him out on the inside. He's no superman. Those were terrible decisions against me when I fought Araujo and that last one with Gonsalves. My trouble is, I've been willing to fight everybody."

Other Challengers Comment

Arthur King of Toronto, the Canadian lightweight champion—a clever and forceful counter-puncher who upset DeMarco last year—said, "I've watched Carter carefully. I don't think he's poison, even at long range. I could give him all the room he wants and lick him. The thing is, I hit just as hard—and I hit faster. Carter is one-tracked. I've got a couple of ways of fighting. I just wish I could get a chance to show it with Carter's title on the line."

Wallace (Bud) Smith, a Cincinnati product who has been avoided in the lightweight division to such an extent that he had to go after

leading welters, said, "If you can punch and if you believe in yourself—and I certainly do—there's only one way to fight Carter. That's to tear into him. I did that with Johnny Saxton, who's as good a welter as there is around, and I had him on the floor twice—although it was called a draw. I fought Carter before. I think I'd had only fourteen pro fights at the time. He didn't have me down or hurt. He beat me on experience. I've got that experience myself now. I won't simply say I can win the title from Carter on a decision; I'll say I'll knock him out."

These are the outspoken views of the have-nots. Now, let's listen to Carter explain why he's been so effective in his title bouts this year.

Visited at his home in South Ozone Park, an outlying residential area of New York City, the former Aiken, S. C., fighter smilingly pointed out, "I guess I just like money."

What Jimmy meant, naturally, was that any loss in a title fight would cut him off from the big end of purses. He was guaranteed \$50,000 for the Collins affair. He got 42 1/4 per cent—around \$35,000—for the Araujo fight.

The ring veteran, who will be thirty in December, conceded that he only now has learned to make weight properly. "I used to try to do it in a hurry," he related. "I would make the weight—but I wouldn't have the strength."

He cited his losing fight with Salas as a horrible example. "I must have weighed a hundred and forty-one pounds five days before. I took six pounds off for the weigh-in, but I didn't want to look at Willie [Ketchum]—I was ashamed."

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This was the house of George Fisher and his wife Evalena, who were murdered.



Jack Hartman, grandson of the fisherman, was suspected of killing them and stealing their money.



Jack Hartman, Jack's newly wedded wife, and he was with her in a dancing rink when the crime took place.



The Case of the LOST HONEYMOON

It was a marriage made in heaven, but it couldn't last . . . because of an airtight alibi that sprang a leak and a diary that told too much

by Lewis Baker

GEORGE and Evalena Fisher retired early that fateful evening of May 5, 1950. They always did. It was a habit acquired from years on a farm. Fisher was seventy-six, but he was still active—an employee of the Williams County, Ohio, Highway Department. His wife was seventy, and she, too, was still going strong—one of the best cooks in town.

Fisher made sure the two doors were locked, shuffled into the bedroom, put out the light, removed his slippers, and went to bed. Outside, although it was spring, a winter wind was blowing. It tugged angrily at the windows and made them rattle and it shook the doors, but it was not an unpleasant sound. It made Fisher feel sort of cozy, lying there in his nice, warm bed, listening to that big wind blow. The angrier the wind got, the cozier he felt. He slid off into sleep.

A little later, he awakened. That wind sure was kicking up a row. It sounded like it was going to tear the kitchen door off its hinges.

He frowned. That wasn't the wind. Somebody was knocking, pounding on the door. Who inarnation could it be? Whoever it was didn't have much sense. Didn't he see all the house lights were out?

The pounding on the door persisted, and with a sigh of resignation Fisher arose, donned his slippers, put on the light, and shuffled toward the kitchen. Some people picked the darnedest time to come calling.

He turned on the kitchen light. And then he made the biggest mistake of his life. He opened the door. . . .

Murder Will Out

Early the next morning, Emerson Fisher, forty-one, braked his car to a halt in the driveway of his parents' home, in Melbern, Ohio—an old-fashioned shingled house surrounded by tall trees just beginning to leaf. He alighted and went to the front door and tried the knob, but the door was locked. He knocked. No answer. He went to the kitchen door. It was unlocked and he went in.

"Ma!" he called cheerily. No answer. "Dad!"

Silence. A vague uneasiness, a chill, crept over him. It was odd that nobody was around. He and the old man had a date. He had come to drive his father to Bryan, where the elder Fisher intended to buy a tractor.

Emerson stepped into the hallway and his uneasiness mounted. Across the floor lay a pale, yellow oblong of light—electric light—pouring from the bedroom. He strode to the bedroom and stopped, frozen with horror, on the threshold.

On the floor, in a pool of blood, lay his father, George. In bed lay his mother. She was on her side, as though asleep. But the bedclothes were dyed a dark red.

Emerson rushed out and ran to the home of a doctor. But it was too late for a doctor. George and Evalena Fisher were dead.

The doctor picked up the phone, and within a half-hour a coroner was examining the bodies while Sheriff Norman A. Barnes was carefully, meticulously, going over the death scene for clues. Barnes was a quiet-spoken man with a flair for thoroughness. A typical country detective, he believed in moving slowly. Then you didn't miss anything. Move slowly; hunt for every detail. The smallest detail—a hair out of place, a stray bit of gossip—might be vital.

"Fisher was shot just once," the coroner said. "The bullet entered the left side of his head and came out at the rear of the skull. Three bullets

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COLA DRINKS ARE HARMFUL!

by William Worth

CONGRESS spends millions for investigations, but in many cases nothing is done to remedy the conditions unmasked by these probes.

A case in point was the amazing revelations made by the House Committee to Investigate the Use of Chemicals in Food Products, in 1950. The sensational testimony jolted the complacent congressmen. Several alarmed congressmen introduced bills. But up until today, three years later, practically nothing has been accomplished by Congress to alleviate the conditions spotlighted by the investigating committee.

An example of the revelations that shocked the Committee was the accusation that cola beverages contain a solution powerful enough to dissolve iron and erode the enamel of teeth.

This was declared from the witness stand by Dr. Clive M. McCay, Professor of Nutrition at Cornell University and former director of nutrition research for the U. S. Navy, after Congressman E. H. Hedrick had interrupted his testimony by remarking:

"A friend of mine told me once that he dropped three tenpenny nails into one of the cola bottles, and in forty-eight hours the nails had completely dissolved."

While Congressman Hedrick's remark provoked lifted eyebrows in the audience, Dr. McCay calmly nodded his head. "Sure," he said. "Phosphoric acid there would dissolve iron—would dissolve iron or limestone. You might drop it on the steps, and it would erode the steps coming up here. Spill a bottle of cola on them, and you could see it fizz up. Try it."

Since 1943, Dr. McCay has devoted substantial research to the study of the injurious effects of cola beverages.

Hits Secrecy

Dr. McCay attacked the secrecy that has surrounded his findings. He told the Committee, "It has not ever been able to get into the press, so what does the American public know about it? They are ignorant... about the composition of the beverages. How would the public know if the facts cannot get into the press?"

Dr. McCay, after starting his study of the cola beverages, was amazed to find that they contained substantial amounts of phosphoric acid. He found that cola drinks had 0.955 per cent.

Why phosphoric acid should be one of the ingredients of cola beverages is a mystery to Dr. McCay. He said, "It goes clear back to the beginning. I do not know why the original man put it in there—possibly for taste; possibly they used water that was not too clean, and the acid kept it sterile. I know of no organism that can live in acid that strong."

At the Naval Medical Research Institute, Dr. McCay put human teeth in cola beverages and found that they softened and started to dissolve within a short period. They became very soft within two days.

Dr. McCay made numerous studies of the effect of cola beverages on the teeth of rats and monkeys. They eroded and dissolved the enamel from the teeth of experimental rats. Monkeys,



Dr. Clive M. McCay, nutrition expert, claims that certain ingredients in cola beverages will erode the enamel of teeth

who drink in the same manner as man and can be trained to drink from a cup, suffered erosion similar to that of the rats.

Dr. McCay found that "the composition of all cola beverages is the same, except that the flavoring material differs a little... The acidity of cola beverages, which the biochemist expresses as pH, is 2.6—or about the same as vinegar. The sugar content masks the acidity, and children little realize they are drinking this strange mixture of phosphoric acid, sugar, caffeine, coloring, and flavoring matter. Several other acids are used in other carbonated beverages, and these all deserve careful study, since solutions even one-tenth as acid as the cola beverages are claimed to erode the enamel of teeth."

Dr. McCay's experiments also threw a great deal of light on the possible effects of candy and too much sugar on teeth. He related his experiments with hamsters: "I fed them large amounts of sugar in one case, and no sugar in the other, and then fed them a diet that may crack the teeth slightly, and I got more injury in the hamsters that I fed sugar. In rat tests, where I have fed some nothing but milk from the time of weaning throughout their life, for the first time I have seen no decay."

How does sugar affect the incidence of tooth decay in human beings? In Norway, during the war, it was discovered that when sugar was severely rationed, the incidence of tooth decay almost disappeared!

The large sugar content in soft-drink beverages is another reason for Dr. McCay's grave concern: "I think the sugar is the reason nutritionists, as a whole, dislike carbonated beverages, and they will so report in places such as the National Research Council over and over again. They do not like the sugar in the diet because it displaces good calories. Kids who drink

cola may not drink milk. The thing that erodes the teeth is phosphoric acid."

According to Dr. McCay's testimony, cola beverages are also bad for people suffering from ulcers. He said, "You have got caffeine plus sugar plus acid, and if you have a friend who has a gastric ulcer and he is trying to drink a bottle of coke, he will get in trouble. It is internal with the ulcer, external with the teeth."

Congressman Is Alarmed

Congressman Thomas Abernethy, alarmed that Dr. McCay's testimony was "moving in a fashion to undermine an industry in this country that, after all, means considerable to the economy of the country," cautioned, "With regard to your testimony on that, this forum has a very important subject to consider, both from the angle of the consumer as well as the producer; and I think we ought to be very careful about what goes into this record, and the manner in which it goes in, until some definite conclusions are reached, because everything that is done and said here is done in an open forum, and it could be very exciting to the public as well as to the industry involved."

"I hope, Doctor, that at this time—and I want to assure you that I have no interest whatsoever in the beverage industry—you are not making a point-blank statement for the record and, at the same time, saying there is full agreement in your profession that the use of this type of beverage is seriously injurious to the American health or the health of the American people... I think you will agree with that statement?"

Dr. McCay had an answer: "I do, but I also think it means a great deal to the health of the nation when this industry has taken the dimes of the poor children, who ought to be buying milk with those dimes."

THE END

POLICE GAZETTE'S
"Date of the Month"

Vera Miles



OCTOBER 1953						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

★ Boise City, Oklahoma, will always have a warm spot in its heart for Vera Miles, for she was born there on August 23, 1930. Now 23, Vera stands 5'4", weighs 117 pounds, and fetchingly extends 36"-24"-35" around. A telephone operator, secretary, and model before lending her beauty to the movies, Vera can be seen in three dimensions in *The House of Wax*. She lives in Van Nuys in the San Fernando Valley. ★

Hollywood's Boy Wonder

After 27 years in show business, 28-year-old Donald O'Connor is sitting on top of the entertainment world as an actor, comedian, and dancer whose antics spell box office

by Don Moore

TV viewers who turned on their television sets to the Colgate Comedy Hour not long ago could hardly believe their eyes. On the screen was Charlie Chaplin's world-famous tramp in a performance that was funnier than anything Chaplin had ever done. But it wasn't Chaplin behind the make-up—for discarding the tramp costume, the comedian next went into a whirling acrobatic dance that made Fred Astaire look as if he needed lessons from Arthur Murray, then played a dramatic role with such expert ease that the Barrymores might have blushed with envy.

Only one entertainer could hold an audience spellbound with such an incredible display of talents. He was—and is—Donald O'Connor, Hollywood's boy wonder and the hottest thing in television.

If Donald has a single fault as a performer, it's that he makes everything he does look easy. Actually, his many and varied talents have been developed through twenty-seven years in show business.

Born in Chicago, on August 28, 1925, Donald was exposed to stage lights long before he even knew the meaning of stage fright. His parents, Chuck and Effie O'Connor, were vaudeville headliners—an acrobatic team who called themselves The Flying O'Connors—and before he was a year old, Donald was made part of the act.

When he was a little more than a year old, his father died of a broken heart over the loss of Donald's sister, Arlene—who, at the age of five, was killed in an auto accident. Mrs. O'Connor found herself with the sole responsibility for raising Donald and his two brothers, Jack and Billy. (Three other children had died in infancy.)

By the time he was four, Donald was a child sensation in vaudeville—dancing the Black Bottom. When he was thirteen, a movie talent scout saw him singing, dancing, and doing imitations at the Biltmore Hotel in Los Angeles and he was signed to a film contract first by Paramount and then by Universal-International. For the latter studio, he teamed up with Peggy Ryan to star in a series of musicals which cost only \$300,000 apiece to produce and earned a profit of \$2,000,000.

But while his films made a great deal of money, Donald got very little of it (he started in Hollywood at \$25 a week). It was not until MGM snapped him up for *Singing in the Rain*, one of the most popular musicals Hollywood has turned out in many years, that Donald's stock began to rise.

One of the most sought-after entertainers in the film capital, Donald O'Connor hadn't had a vacation in four years. Recently, he had to decide between a chance to rest and a chance to earn \$150,000 for six weeks' work on a new picture. O'Connor took the rest.

An agent booked him for an appearance on television, and he was an instant hit. Awarded his own show in the series of topnotch TV entertainments called the Colgate Hour, he became the most talked-about performer in video—a reputation which won him \$15,000 a week from the show's sponsors.

Now earning a million dollars a year, Donald is sitting on top of the entertainment world. But in spite of his astronomical money-making abilities, he is refreshingly different from a great many Hollywood stars. One difference is this: he isn't afraid to pick up a dinner check.

"It's not only because he's a naturally generous guy," explained one of O'Connor's closest friends. "It's because he hates bickering."

This little exchange occurred just before Donald himself came in looking tanned from a sailing trip, healthy from a weight-gaining exercising program he has started, and cool in a loose-fitting pair of white flannels. There may have been just the slightest tinge of petulance in his manner at being interrupted by a magazine writer just as he was learning how to enjoy the first vacation he has had in four years. But if it was there at all, it quickly vanished and he became the semiserious, semicomical O'Connor that has made him one of the most popular entertainers in the film capital.

It was in this mood that he launched upon a discussion of his two pet hates, to wit: the girl who insists on talking about her latest picture (or his) when they go out on a date, and being invited to a party and called upon to perform. "Unless, of course, it is by a very close friend," the actor-singer added.

While the actor's hates number only two, his likes, idiosyncrasies, and extravagances are many and varied.



Now that he's a bachelor again, O'Connor has formed rather definite opinions on the type of girl he prefers.

"I like girls who have sophistication and maturity and still exhibit naivete and spontaneity," he said.

Although that sounds like a paradoxical bill to fill, Donald apparently has found her in actress Marilyn Erskine, the light-brown-haired lovely who played Ida Cantor in *The Eddie Cantor Story*.

Must Get Away from It All

With his work putting him almost constantly before the public, Donald has found that to keep his equilibrium he has to get away from it all occasionally—and that's exactly what he does. He recently rented a house isolated on the top of a mountain in Beverly Hills' Benedict Canyon. It is so far away from it all that friends invited to an 8:00 P.M. housewarming party didn't arrive until almost midnight. They couldn't find the way.

But O'Connor likes it—the modern furniture, the room-wide front windows that overlook the city, the swimming pool. For breakfast, he normally has a raw egg beaten into a glass of orange juice, which he chases with milk. The word "normally" is used because a breakfast

(Continued on page 36)

Smugglers' Tricks



Shoe at left contained diamonds in heel. Shoe at right held diamonds in sole. Tooth-paste tube carried a diamond watch. C-Men exposed these smugglers' tricks.



This special corset was worn by a woman trying to smuggle watches into U. S. Paper slips show how watches fit in pockets.

HOW OUR C-MEN CATCH

by Robert Nixon



Eta Hoffman, a Belgian emigre, sobs guiltily as two officials in U. S. Attorney's Office examine the diamonds she tried to smuggle into country in hollowed-out platforms of her shoes.

IT WAS snowing slightly and a bitter wind blew across the choppy water as I boarded the Coast Guard cutter in New York's East River just before dawn. Even the Customs officers and immigration inspectors, who had been making these daybreak trips for the past twenty-five years, were stamping their feet and rubbing their hands as their eyes watered from the cold.

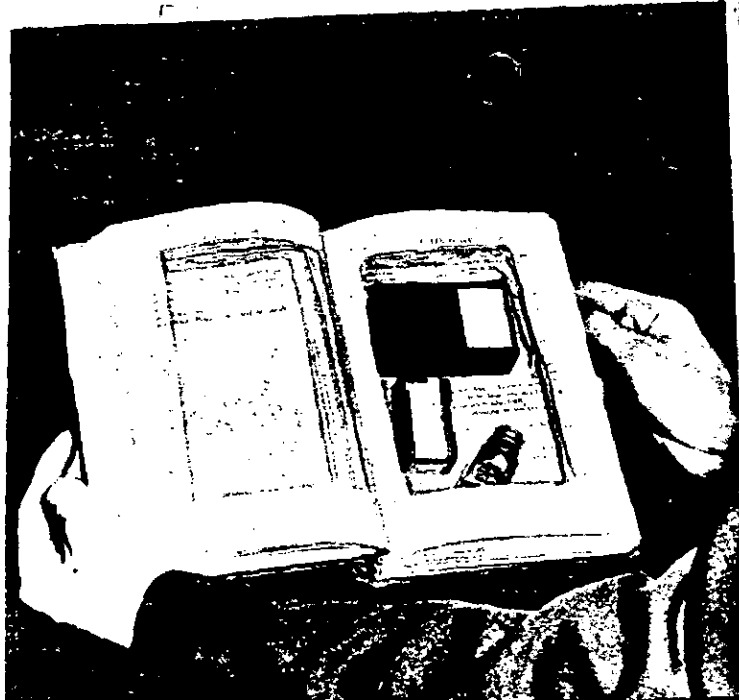
I was going on the cutter as the guest of the U. S. Treasury Department to see just how its C-Men, or Customs agents, operated; how they literally smelled out opium and tracked down diamonds and watches; and how, in six hours or less, a half-dozen veterans of the service could so thoroughly search a ship it would be almost impossible for smugglers to go ashore uncaught.

My guide on this cold ride into the harbor was Inspector Edward Starface, a stocky, 200-pound hard-bitten veteran of the water front.

"There aren't many tricks I don't know," he told me. "I've seen smugglers try them all. Some times they get by for a short while—maybe on a trip—then we nail them. It's hard enough if the lads get by with a few diamonds or a bottle of wine. But when it's narcotics, I don't laugh. I don't like missing those boys." He paused, then added, "I don't miss them."

Inspector Starface voiced the opinion of every Customs man in every port or land station of the United States. These men know that one of every ten prisoners in our federal prisons was convicted on a narcotics charge; they know that the dope habit leads to gang warfare, murder, and prostitution; and catching dope smugglers is not a game to them. It's a full-scale war.

As we pitched and tossed aboard the cutter, Starface told me how he had made



Inside this hollowed-out, innocent book was cached heroin worth \$25,000. Customs agents discovered it in a sailor's bunk aboard a ship.



Over a hundred small uncut diamonds amounting to 100 carats and valued at \$50,000 were found in hollowed-out clothesbrush shown.

SMUGGLERS

Smuggling is big business. Every year, traders in contraband attempt to sneak into the U. S. millions of dollars' worth of precious jewels and expensive narcotics. But our Customs agents know, and can spot, every illicit trick that is used

largest seizure of opium ever found on the Atlantic seaboard.

"It was instinct," he said. "We had searched this ship, the *President Harrison*—a Pacific cruise liner—for six hours. A whole gang of us had probed everywhere. We had tested deck planking, we had poked into the thousand-and-one nooks and crannies which are favorites with smugglers, and we had found nothing. But I felt sure something was wrong. I knew that somewhere in the ship I had seen something that looked slightly out of place."

Acting on impulse and alone, the inspector had decided to have another look below decks.

"I clambered under the anchor winch to the chain locker," he said. "The smell of stale bilge water in the dank darkness almost made me sick. But I was sure I smelled that unmistakable sickly-sweet odor of opium through all the bilge stink. I flashed my light all around. Then I realized what looked out of place—the chain locker appeared unusually large."

Starface had called to other Customs men, and for two hours they had hacked and sawed a hole big enough for a man to crawl through.

"I was that man," said Starface. "Inside the locker I found thirty-one burlap sacks containing three thousand half-pound tins of opium. A sub-machine gun lay on top of the sacks, and with the shipment was an envelope containing half of a torn dollar bill. This would have established identity between the buyer and the seller."

Starface's seizure was valued at between

\$900,000 and \$1,350,000 and would have brought five to ten times these amounts when cut and retailed. Ironically, each tin carried the picture of a red rooster and, under it, these words written in Chinese: "To be carried only by a trustworthy man." Uncle Sam proved to be a most trustworthy man.

Our cutter scraped alongside the liner that was our destination, and we climbed up the companionway. I asked Starface whether a liner was more difficult to search than a freighter.

"They're about the same," he replied. "We need more men for bigger ships, but we cover the same ground and we get to know all the trick hiding places on a ship. Some of the crews think they're clever and like to hide goods in water pipes, hollow bedposts, or mattresses. They wait until we've searched a ship, and then try to leave with the goods in their pockets."

The inspector wouldn't talk about tip-offs, but in Washington, *Police Gazette* investigation revealed that the C-Men usually know what to look for in advance.

"If there's anything of real value aboard," put in Starface, "we usually get a line on it before the ship arrives. We know what to look for and whom to watch. Sometimes, but not often, we also know where to look. That makes it a lot easier for our men. Of course, there's an element of luck, too."

Inspector Starface took me in tow as he started through the stewards' quarters of the ship.

(Continued on page 32)



\$175,000 in smuggled gold was concealed under rear fender of car meant for shipment abroad.

They're still arguing about

HOW JACK JOHNSON

BEAT JIM JEFFRIES

FIGHTS NEVER TO BE FORGOTTEN



Jeffries (left) was in such bad shape he frequently clinched with Johnson.



Johnson (left) ruffled Big Jim with a furious assault which ended in a K.O.



The beginning of the end came when Jeffries was helped through the ropes after second knockdown.

In an exciting eyewitness account—reprinted here from the files of the Police Gazette—one of our former reporters tells how Big Jeff bowed to Jack Johnson's bloody blows

by Charles White

THE vital spark was not there. Jim Jeffries, only the empty shell of the great fighter of seven years ago, was whipped by Jack Johnson at Reno, Nevada, on July 4, 1910, before the most remarkable assemblage of sporting men ever gathered in the history of the game. Johnson not only outclassed Jeffries but actually played with the big white man as he played with little Tommy Burns and Stanley Ketchell.

The end, while it came with the suddenness of a thunderclap, was not a surprise; it had been in plain sight from the fifth round. There could have been only one ending, and even the most rabid Jeffries men could not deceive themselves into thinking that the white man had a chance after the fifth round.

It was not that he was taking much punishment, for the blows Johnson landed were not enough to have beaten a strong man of ordinary vitality. Jeffries did not display a semblance of his old-time form. There were none of his short, determined rushes; none of his trip-hammer blows to the body. And when, after the fifth round, the Negro began manhandling Jeffries in the clinches, and easily blocking any attempt at retaliation, there was nothing to do but wait for the end of the fight.

Instead of the old Jeffries, we had a man who ducked and clinched and fumbled away with both hands in the clinches, while the Negro systematically and methodically whipped up either hand to the face, bringing the blood in streams.

When Jeffries lurched out of his corner to begin the fifteenth round, it was only necessary to take one look at Jim Corbett's face.

Jeffries shuffled into a clinch. There was nothing about his leg action to indicate that he was groggy, but he seemed tired, and his face, over Johnson's shoulder, was a picture of defeat. The right eye was closed to a blue slit in the puffed flesh; the left eye was swollen; the nose was split; and blood was trickling from the lips.

Many a time Jeffries had taken more punishment and won his fights; it was the expression on his face that made it plain that he was at the end of his string.

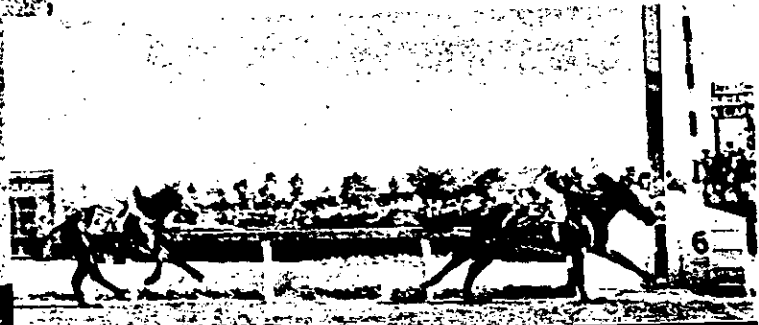
Johnson came up swiftly, his lips parted and his eyes shifting from side to side. There was no smile on his face and he forgot to nod to his friends at the ringside. Once he led with his

(Continued on page 29)



They're at the Post!

A fast-breaking horse in an outside stall is a better bet than a slow starter at the rail



Eleven three-year-olds lunge from the starting gate in the Kentucky Derby. Despite his outside post position, Dark Star was the winner.

In the 1945 Derby, Hoop Jr. rushed forth from the No. 12 stall to take the laurels. Above, with Eddie Arcaro up, he is shown winning Wood Memorial.

by Isi (Rip) Newborn

SOMEWHERE in this land there's a racing fan who is kicking himself because he didn't like Dark Star's outside post position in the Kentucky Derby last May. The gent was overheard in the clubhouse at Churchill Downs as he said to his companion shortly before the race, "I'd like to get a ticket on Dark Star, but he has such a bad post position—way out there in the number-ten spot—that he's got one strike on him already. I'm gonna take some other long shot who's got a better post position."

When the gates sprang open and the field was off and running in the Derby, there was a surprising sight as a brown horse, carrying the checkered blue-and-white colors of the Cain Hoy Stable, came whizzing out of the number-ten stall to seize the lead.

As soon as he was in the clear, Dark Star was guided by Jockey Henry Moreno toward the inside rail. Continuing to run close to the rail, Dark Star saved ground all around the turns and gamely held his position to score a sensational triumph, with a pay-off of \$51.80 for \$2.

What did all this prove? Well, in view of some other aspects of the race, there is still a lot of debate about the things Dark Star's victory proved. But there's one thing about which there need be no debate. Dark Star proved, as has been proven in many a race before, that an unfavorable post position isn't always a hindrance to a horse

blessed with speed at the start of a race. Serious betters, who try to take all the angles into account before plunking down their money, are inclined to look upon outside post positions as something like the three-day measles. That is, it may not be fatal—but it's certainly not healthy.

Horsemen feel the same way about it. The draw for post positions each morning gets a lot of serious attention from them. They don't like to draw any position at, or near, the extreme outside. The larger the field of horses, the greater is the disadvantage of an outside position in the eyes of the horsemen.

The reason is simple. A horse breaking with average speed from the outside is usually forced to run wide during a good portion of the race. If he must run wide around the first turn—or all the turns—it means that at the finish of the race, he has actually traveled a longer distance than

his rivals who managed to stay close to the rail. The yardage lost by traveling wide sometimes proves to be the difference between victory and defeat.

However, when a horse of your preference happens to be stuck with an outside post position, it isn't quite so bad if he's quick on the getaway. Such a horse gives you fewer worries than one whose early speed is just average.

If a horse breaks from an outside post position with enough "early foot" to draw clear of his opponents, he can soon begin edging over toward the rail and assure himself of a good position for the dash around the first turn, thereby saving ground. Being in a good position for that first turn is important, as this is the trouble spot for horses running on the outside.

Recent Kentucky Derby history has furnished some notable examples, besides Dark Star, of how a fast breaker can overcome the disadvantages of an outside post position.

Jet Pilot broke from the farthest outside spot in a thirteen-horse field in the 1947 Derby. As soon as he drew clear, he moved alongside the rail and thereafter saved enough ground all the way around the track to withstand the late rushes by Phalanx and Faultless. Jet Pilot, incidentally, paid \$12.80 for \$2.

In the 1945 Derby, Hoop Jr. did the same thing as he rushed forth from the number-twelve stall and went on to victory paying \$9.40 for a deuce.

All of these observations boil down to one piece of advice. If you wish to

(Continued on page 35)

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BY ZEUS	In top shape	PARLO	On the improve
DO REPORT	Well-prepped	PRIZE RING	Knows way home
ELJAKA	On sharp edge	RECOVER	Snappy trials
FAIR BROTHER	Follow up	SELF ASSURANCE	All the way
FANCY DIVER	In good hands	SETUBAL	Long odds likely
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As I see it!
 by **MICKEY WALKER**
 Former World Middleweight Champ
MY DESERT SHANGRI-LA

BACK in 1925 I landed in Los Angeles to fight Bert Colima. The heavyweight champ, Jack Dempsey, was my manager for this fight, and I reached the pink after weeks of hard work. Four days before the bout, a sparring partner's elbow gashed a deep cut over Colima's eye, and Bert's manager demanded that the fight be postponed.

Dempsey rushed to me with the news and I became worried. I felt I'd never again reach the peak of condition I was in at that time.

I said to Jack, "Colima's manager won't take my word for it, but you go to them and say if Colima will fight, I'll lay off his cut eye. They'll listen to you. And, Jack, I swear I won't touch Colima's eye."

Dempsey did as I suggested and the fight came off as scheduled. But don't get any wrong ideas about Colima's ability. He was one of the best middleweights ever developed on the West Coast. During the minute's rest period after the sixth round, Jack whispered in my ear, "This guy is tough. If you want to lick him, you'll have to flatten him quick."

In my book, whatever Dempsey wanted he got. Colima was counted out in the next round—with his bandaged eye in the same condition as when he entered the ring.

Shortly after this fight, Dempsey and Jack Kearns stunned the boxing world by dissolving their partnership. Kearns became my manager, and Dempsey's former trainer, Teddy Hayes, took over my training activities.

Teddy and I went to Palm Springs. We planned to bask on the desert sand for a few weeks, then start training for a new fight.

In Palm Springs was a wealthy, retired banker who had become seriously ill and had been forced to follow his doctor's advice: "Your only chance of living is to spend the rest of your days on a desert."

He had picked a forty-acre piece of barren desert located a mile from

the Oasis Hotel and had begun building a fairyland copied from the Arabian Nights—adding a swimming pool, tennis courts, and a tremendous house with two-foot-thick concrete walls.

After five years, he completed his masterpiece. Then he suddenly realized that he had regained his health—and decided to spend the rest of his life traveling around the world. Before he left Palm Springs, he telephoned Harry Lewis—an editor of a boxing magazine and a close friend of mine.

Harry hopped down to Palm Springs to live at the fabulous estate. His job was to find a buyer while his wealthy friend traveled, and he insisted that Teddy and I come and live with him.



Mickey Walker as he appeared with Teddy Hayes.

After one look, I fell in love with the estate and made up my mind that I was going to own it. While we were moving up the driveway, I asked Harry, "How much does your friend want for the joint?"

Harry paused, then answered, "I'm the sole judge of who shall or shall not purchase this estate.

It isn't so much the question of money. Of course, that's important—but it's absolutely necessary that the new owner not let a flower or a blade of grass die. Everything must be kept the same as you see it now. I'll talk to you tomorrow about the price." We finally settled on \$31,000 cash.

But Teddy Hayes had other ideas. "Give Kearns a phone call and have him come and look the place over before you decide to buy it," he advised me.

Kearns, the most romantic figure in the boxing game, gazed on the Arabian Nights estate coldly.

"What's the matter—have you gone nuts?" he said. "Go get your clothes and let's drive home."

And so we did. Recently, I paid another visit to my one-time romantic fairyland. Just two weeks before, it had been sold for two million dollars.

Oh, well, it's not ethical to mix money with romance.

THE END

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Despite the ability to reproduce their kind in astronomical numbers, rabbits are not as numerous now as they were.



No grass grows under a rabbit's pads when he is in a hell-for-leather dash for life. In a short sprint, he can outrace a greyhound.

The Game Animal

(Continued from page 12)

aria in a duet that I said as the sound up. After get set. I'll take

big rock." splashed across the the alders to a big I had a good view and if the bunny point, I'd have a

What would hap- to my ears as the side toward the far gs pushed him too ole or a hollow log. way, past Charlie. pretty soon I heard old tell about where sing around the e north end of the bouncing ahead of er voices fell silent, dge of their quarry. gain in triumph cent once more. n? The next min- the dogs told me. k down the brook, lay. I thumbed off d the double gun,

streak that arced appeared behind a I it with twin muz- between the alders I e blast, a big cot- awled among the

Charlie came slogging over the knoll, carry- ing his gun in the crook of an elbow. He looked at the two bunnies laid out side by side and shook his head.

"Now I've seen everything," he said. "Next time, try opening your eyes."

I thought it helped to make up for a lot of ignominious misses, of which I've had my share. A cottontail bounding ahead of a hard-driving beagle can be a mighty tough target. There's no grass growing under a rabbit's pads when he picks them up and lays them down in a hell-for-leather race for life. In a short sprint, he can outrun a greyhound.

Mingled with his speed are his evasive tactics, at which he's still the champ. I once saw a fear-crazed cottontail outmaneuver a snowy owl and cheat him of his dinner. The bird caught his intended victim off-base near the edge of a drifted meadow, and swooped on silent wings for the kill.

At the last second, the rabbit glimpsed the owl's shadow—or else he had a premonition. Anyway, he gave a side bound that threw the owl off target, and then lit out for the briars. The owl glided after him a few feet in the air, hooked talons extended, but he could never quite get set to strike. Just as he'd pounce, the rabbit would pause and double back—or dart like lightning to one side. The owl followed every dodge and twist, but he never caught the bunny.

It's the same when you're trying to shoot. That leaping white powder puff jerks above your muzzle, now up, now down, in and out, here and there, around a tree, behind a bush. Many of the open spots are less than a yard wide, and it takes just one split second for the rabbit to hurtle past them to safety—so that a lot of times you have to let drive ahead of a ripple in the

shooting toward the ground. If you want to deflate your ego sometime, try busting a half-dozen clay pigeons in the air and then have the trap thrower skim a few discs just above the ground. You'll be lucky to break one out of five. I know, because I've tried it.

One time I went rabbit hunting with a top-flight grouse gunner. I'd been out for birds with him several times, and he was really hot. He'd have his gun off before mine was at my shoulder, and I've seen him bring off some incredible shots. He'd fire at a whirl behind a screen of pines and come up with a pat. He'd never bothered much with rabbits, though. That was the way he put it.

"Rabbit shooting is all right for boys," he conceded patronizingly.

He missed the first bunny as it bounded over a down log, and that was perfectly excusable. But the second rabbit was going straight away through an open clearing. My friend raised his gun confidently and proceeded to shower snow two feet behind the zigzagging cottontail. Then he did it again as the bunny jetted away through the laurel. For a second, he stood with the gun still at his shoulder, staring after the disappearing quarry.

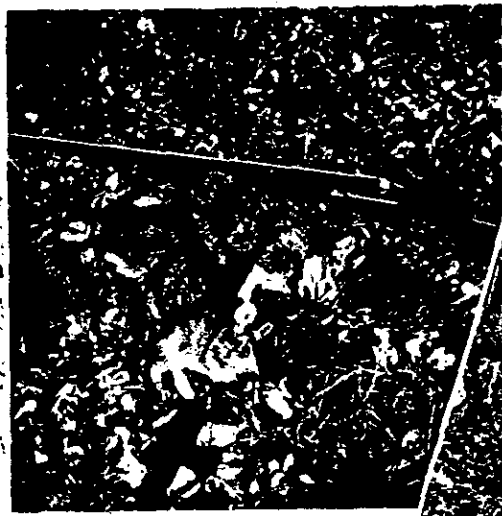
"Rabbits are all right for boys," he declared glumly, "but I guess I'm too damned old."

Rabbits Decreasing

Despite their ability to reproduce their kind in almost astronomical numbers, rabbits are not as numerous now as formerly. A few figures will quickly show why. Since the war, the ranks of hunters have increased tremendously—until today, nearly fifteen million licensed gunners take the field each autumn. Some of these, of course, are big-game hunters, wild-fowl hunters and bird gunners. But most of them



Cold and snowy weather seems to put ginger into cottontails... and make them ready and eager for a hot chase.



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No grass grows under a rabbit's pads when he is in a hell-for-leather dash for life. In a short sprint, he can outrace a greyhound.

Biggest Little Game Animal

(Continued from page 12)

mingled with Spot's frenzied aria in a duet that set the echoes flying.

"They're really driving," I said as the sound faded away across the swamp.

Charlie said, "We'd better get set. I'll take the clearing."

"O.K. I'll go over by the big rock."

I jogged down the ridge, splashed across the brook, and bulled through the alders to a big granite boulder. From there, I had a good view up and down the ravine, and if the bunny circled back to his starting point, I'd have a chance for a shot.

It was too soon yet to tell what would happen. The chase came faintly to my ears as the sprinting cottontail swung wide toward the far end of the swamp. If the dogs pushed him too hard, he might pop into a hole or a hollow log. Or he might circle the other way, past Charlie.

I strained my ears, and pretty soon I heard the chase coming back. I could tell about where it was. Tiny and Spot were singing around the side of a steep knoll at the north end of the swamp, with the cottontail bouncing ahead of them. As I listened, the eager voices fell silent, checked by some twisting dodge of their quarry. Then, suddenly, they rose again in triumphant clamor as they found the scent once more.

Which way would they turn? The next minute the swelling uproar of the dogs told me. The rabbit was heading back down the brook, and it was going to be my play. I thumbed off the safety catch and raised the double gun, peering among the trees.

My eyes caught a brown streak that arced over a blowdown and disappeared behind a screen of bracken. I followed it with twin muzzles, and when it darted between the alders I squeezed the trigger. At the blast, a big cottontail crumpled and sprawled among the leaves. With the gun still at my shoulder, my eyes picked up a blur of motion beside the brook as another rabbit swerved off through the woods. Swinging fast, I pulled and scored my first and only double on rabbits. The second bunny must have been lying in the path of the chase, and either the oncoming dogs or my shot had startled him from his squat.

Charlie came slogging over the knoll, carrying his gun in the crook of an elbow. He looked at the two bunnies laid out side by side and shook his head.

"Now I've seen everything," he said. "Next time, try opening your eyes."

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"Shoot where you think they ought to be," an old rabbit hunter once told me, "and sometimes they are."

Sometimes they aren't, too, and I've put many a charge of shot into a bush or tree trunk a foot or two behind a flying cottontail.

Finally, there's the added disadvantage of

shooting toward the ground. If you want to deflate your ego sometime, try busting a half-dozen clay pigeons in the air and then have the trap thrower skim a few discs just above the ground. You'll be lucky to break one out of five. I know, because I've tried it.

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"Rabbits are all right for boys," he declared glumly, "but I guess I'm too damned old."

Rabbits Decreasing

Despite their ability to reproduce their kind in almost astronomical numbers, rabbits are not as numerous now as formerly. A few figures will quickly show why. Since the war, the ranks of hunters have increased tremendously—until today, nearly fifteen million licensed gunners take the field each autumn. Some of these, of course, are big-game hunters, wild-fowl hunters, and bird gunners. But most of them are just plain hunters, looking for any and all kinds of legitimate game. Rabbits comprise one-half of their annual bag, with an estimated thirty-five million cottontails bowled over each season. At least twice that many fall prey to natural enemies, and another five million die beneath the wheels of speeding cars.

(Continued on next page)

The more brilliant than
DIAMONDS

Even this tremendous toll has not as yet seriously depleted the cottontail population, and good hunting is still to be found over most of the country. But the writing is on the wall, and now is the time to do something before it is too late.

Importing rabbits to stock local covers is not the answer. This has been tried repeatedly but without success. At best, it results only in put-and-take shooting, with no effect at all upon the gradual decline in rabbit populations. New York State, for example, found that only 8.8 per cent of the imported rabbits were harvested by gunners, and that only 13 per cent survived until the next breeding season. All too frequently, the practice has resulted in

spreading tularemia among uninfected local stock, and as a result, a number of states now prohibit the importation of cottontails.

Fortunately, there is a better remedy—and, fortunately, too, it is a comparatively simple one. It consists merely of improving cottontail habitat. The rabbit tribe is so constituted that, given adequate food and cover, it can hold its own in the face of adversities that would wipe out other species.

If individual sportsmen and clubs will take upon themselves projects designed to improve their local rabbit covers, there will be cottontail hunting until the end of time. Such improvement isn't difficult. All it requires is time and energy and

the permission of the landowner.

Any area that at present holds rabbits can be made to hold more rabbits by the construction of strategically placed brush heaps and stone piles to provide shelter, and the planting of wild apple and thorn-apple trees to assure a plentiful food supply. Tile pipes scattered here and there will save many a rabbit's life as he dodges and twists ahead of a hungry fox. And during severe winters, piles of orchard prunings placed in the covers will keep rabbits fat and active while their natural food supply lies buried beneath the snow. Just give them a place to hide and food to fill their stomachs. The cottontails will do the rest.

THE END

Hitler's Bloody Beer-Cellar Plot

(Continued from page 11)

government and General von Lossow, who commanded the troops stationed in Bavaria, to launch a civil war and march on Berlin met with no success. His frustration found expression in more and more violent speeches.

"Until the present day, the half-hearted and the lukewarm have remained the curse of Germany... For liberation, something more is necessary than an economic policy: if a people is to become free, it needs pride and will power, defiance, hate, hate, and once again hate!"

With the end of summer, circumstances appeared more favorable. The French were still in the Ruhr, the fall in the value of the mark continued, and the government in Berlin temporized and fumbled in the face of problems that threatened to overwhelm it. Stresemann, who took office as Chancellor during August, soon decided that the only way to avoid disaster was to call off the campaign of passive resistance against the French in the Ruhr and the Rhineland.

Nothing could have suited Hitler better. During September he had succeeded in effecting a union of several of the inveterately quarrelsome and jealous Patriotic Leagues, and he had secured the benevolent patronage of General Ludendorff, the greatest military figure of the war on the German side, an outspoken nationalist, and a bitter enemy of the Republic.

In matters of politics, Ludendorff was a fool. But this did not worry Hitler, who had cast the General for the role of figurehead. Ludendorff brought a great name to his support without endangering the control of policy, which Hitler meant to keep in his own hands.

On September 25, the government in Berlin announced its decision to end passive resistance and resume reparation deliveries. It was the signal for which Hitler had been waiting. He ordered his S.A. men, now numbering 15,000, to stand by, and announced fourteen mass meetings in Munich alone.

Banned Nazi Rallies

The Bavarian government was highly alarmed by Hitler's preparations. It appointed Gustav von Kahr, a well-known Bavarian politician of the right, to act as state commissioner with dictatorial powers. Kahr promptly used his powers to ban Hitler's fourteen meetings, and refused to give way when Hitler, be-

side, himself with rage, screamed that he would answer him with bloody revolution.

But relations were so strained between Bavaria and the central government that Kahr refused to carry out orders from Berlin, to suppress the Nazi paper, or to arrest the military leaders of the Union of Patriotic Leagues, which Hitler and Roehm had created, the *Kampfbund*. Berlin then went over Kahr's head and ordered von Lossow to act in his place. But von Lossow let himself be persuaded by Kahr into disobeying his orders.

When von Lossow was removed from his post by Berlin, Kahr went still farther; he announced that von Lossow would retain his command, and exacted a new oath of allegiance to the Bavarian government from the troops inside Bavaria. This was an open breach of the constitution. It was now, Hitler declared, only a question of whether Munich marched on Berlin, or Berlin marched on Munich.

But Kahr and von Lossow put off taking any final step, on the excuse that the situation was not yet ripe for the drastic action Hitler urged on them. By the beginning of November, Hitler concluded that the only way to get Kahr and von Lossow to move was to burn their boats for them.

Adolf's Big Bluff

It was announced that Kahr would address a big meeting at the Burgerbrau Keller, one of Munich's biggest assembly halls, on the night of November 8. Hitler was convinced that Kahr would use the occasion to proclaim the restoration of the Bavarian monarchy, perhaps even Bavarian independence. He determined to forestall him and try to capture the Bavarian leaders for his own plan of a national, not a Bavarian, revolution.

Shortly after Kahr had begun to speak on the evening of November 8, S.A. Storm Troopers surrounded the hall and Hitler burst in at the head of a group of armed men. He leaped onto a table and fired at the ceiling to attract attention, then pushed his way onto the platform.

"The National Revolution has begun!" he shouted. "This hall is occupied by six hundred heavily armed men. No one may leave the hall. The Bavarian and Reich governments have been removed, and a provisional National government formed. The army and police barracks have

been occupied. Troops and police are marching on the city under the swastika banner!"

This was a bluff and a tissue of lies, but nobody in the hall could be sure of this. After all, S.A. men were surrounding the place, and a heavy machine gun was mounted in the vestibule.

Leaving Goering to keep order in the hall, Hitler pushed Kahr, General von Lossow, and Colonel Seisser, the Chief of Police, into a side room. Waving his gun in a highly excited manner and looking half out of his mind, he demanded that they join him at once. "No one leaves this room alive without my permission!" he cried. "I have four shots in my pistol. Three are for my collaborators if they abandon me. The last is for myself!"

When the three men still refused to be impressed, Hitler dashed out into the hall and announced that they had agreed to help him form a new German government in which he, Hitler, would take over the direction of policy and Ludendorff (who had been urgently summoned from his home) would take command of the army. This announcement, for which he had no authority, changed the mood of the crowd and was greeted with cheers.

At this moment, Ludendorff arrived. He was angry with Hitler for springing a surprise on him and furious at the distribution of offices, which was to make Hitler and not himself dictator of Germany. But he kept his temper under control and advised the others to collaborate.

After more argument and more promises from Hitler, agreement was reached and they all filed back into the hall in apparent unity. The audience climbed on their seats and cheered while the group on the platform shook hands, swore mutual loyalty, and listened to an exultant speech from Hitler.

Behind the Barricades

In the meantime Roehm had seized the army's district command in the Bavarian War Ministry and had barricaded himself behind barbed wire and machine guns. The main forces at Hitler's disposal, however, were kept over on the other side of the River Isar, sleeping on the floor of the Burgerbrau Keller or bivouacking in the gardens. By morning of November 9, fresh arrivals had brought their numbers up to some three thousand men.

(Continued on next page)

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But Hitler was still relying on the co-operation of Kahr and von Lossow. Apart from Roehm's independent action, the night was allowed to pass without the seizure of a single key position. Although Hitler and the other leaders became more and more anxious at the absence of any news from their so-called collaborators, it was dawn before they made up their minds that the coup had miscarried, and leaving Roehm to hold out in the War Ministry, they retired to the Burgerbrau Keller across the river.

There they learned that Kahr had denounced the promises extorted the night before, had transferred the Bavarian state government to Regensburg, and had ordered the dissolution of the Kampfbund and the Nazi Party. At the same time von Lossow was bringing in the outlying garrisons and concentrating the army's available forces in Munich.

Opinion among the Nazi leaders was divided. It was Ludendorff who persuaded Hitler, against his better judgment, to order a march into the city to try and recapture the initiative by bluff.

Ludendorff was convinced that the army would never fire on him, the legendary figure of World War I, and Hitler seems to have believed that public opinion in Munich could still be won over to their side.

So, shortly after eleven o'clock on the morning of November 9, a column of two to three thousand men left the Burgerbrau Keller and headed for the center of the city. Goering persuaded the police guarding the Ludwig Bridge to let them pass with the threat of shooting hostages taken during the night.

Hitler marched in the middle of the front row with a loaded pistol in his hand. Crowds thronged the streets, and there was an atmosphere of excitement and expectation.

From the Marienplatz, the column swung down the narrow Residenzstrasse toward Odeonsplatz, singing as it went. Beyond lay the War Ministry, where Roehm was now besieged by the army. The time was half-past twelve.

The police, armed with carbines, were drawn up in a cordon across the end of the street to prevent the column from fanning out onto the broad Odeonsplatz beyond. The Storm Troopers completely outnumbered the police, but the narrowness of the street prevented them from bringing their superior numbers to bear.

Who fired first has never been settled. Ulrich Graf, Hitler's body-guard, ran forward and shouted to the police officer, "Don't fire! Ludendorff and Hitler are coming!" while Hitler cried out, "Surrender!"

At this moment, a shot rang out and a hail of bullets swept the street. The first man to fall was Hitler's neighbor in the front rank, with whom Hitler had been marching arm in arm. Hitler fell with him, either pulled down or seeking cover. The shooting lasted only a minute, but sixteen Nazis and three police already lay dead or dying in the street. Goering was badly wounded and was carried into a house. Weber, another of the leaders, stood against the wall weeping hysterically. One man alone kept his head. Erect and unperturbed, General Ludendorff, with his adjutant by his side, marched steadily on, pushed through the line of police, and reached the square beyond.

The situation might still have been saved, but not a single man

followed him. At the critical moment, Hitler lost his nerve. Scrambling to his feet, he stumbled back toward the rear of the column and let himself be pushed into a yellow motor car on the Max Josef Platz.

His shoulder was dislocated, he was in great pain, and he probably believed himself to have been wounded. But there was no denying that, under fire, the Nazi leaders had broken and fled—Hitler first.

Two days later, he was arrested in his hiding place at Uffing, where he was being nursed by a comrade's mother and sister. Goering escaped over the Austrian frontier.

Never was Hitler's political ability more clearly shown than in the way

press, Hitler virtually dominated the court, and although he was sentenced to five years' imprisonment (the minimum sentence, soon reduced), he won a wider and more sympathetic hearing than he had ever achieved before.

In later years, Hitler again showed his skill by going out of his way to build up the failure of the Munich rising into one of the great propaganda legends of the Nazi movement. Year after year, on the anniversary of November 8, he went back to address the Nazi Old Guard in the Burgerbrau Keller and the next morning on the Odeonsplatz solemnly recalled the martyrs of the movement who died for their faith.



On September 6, 1931, the National Socialist Party held its biggest meeting in Gera, Germany. Adolf Hitler stands in the center.

he recovered from his setback. He had to stand trial, but it was held in Munich—and the full story of the events leading up to November 8 and 9 was one that most of the Bavarian political leaders were only too anxious to avoid having made public. Hitler exploited this situation to the full.

The chief witnesses for the prosecution—Kahr, von Lossow, and Seisser—had all been heavily implicated in conspiracy against the Republican government. Hitler cleverly recovered the initiative by assuming full responsibility for the attempt to overthrow the Republic, and instead of apologizing for his crime, or trying to belittle its seriousness, indignantly reproached von Lossow, Kahr, and Seisser with the responsibility for the attempt's failure. This was a very effective way of appealing to nationalist opinion and turning the tables on the prosecution.

Toward the end of the trial, which was widely reported in the world's

When the bodies of the sixteen dead of 1923 were reinterred in a new memorial in 1935, Hitler declared: "They now pass into the German immortality. For us, they are not dead. These temples are no crypts: they are an eternal guard post. Here they stand for Germany and keep guard over our people. Here they lie as true witnesses to our movement."

These were the men whom, twelve years before, Hitler had left dying in the street while he fled. By skillful and unscrupulous propaganda, he turned the fiasco of 1923 and his own failure as a leader into retrospective triumph.

The exciting story of Hitler's rise to power in Germany and his conspiracy to conquer the world will continue next month in the November issue of the Police Gazette. Don't miss the next installment.

Reprinted from the book Hitler, by Alan Bullock. Published by Harper & Brothers, New York, 54.

How Jack Johnson Beat Jim Jeffries

(Continued from page 22)

left, and the two men came together, locking arms in a clinch. Jeffries hung on for a few seconds and then disentangled himself, backing slowly away toward the west side of the ring and toward his own corner. Johnson followed with left extended.

Again the men clinched, and this time Jeffries came to a halt with the upper rope across his back. This time Johnson broke from the clinch, and as he did so he drove his right to the body, following it immediately with a left to the point of the chin. Jeffries' hands dropped to his sides and he bent double, slowly collapsing to a sitting position. He tried to rise but fell over backward—half in and half out of the ring, his legs over the lower rope.

The thing came so swiftly that it took the crowd by surprise, and there was no noise except that caused by the thousands rising in their seats. A thin, scattering cheer from the bleacher seats was not sufficient to drown the voice of Time-keeper George Harting. Jack Jeffries moved over, and placing his arms under his brother's shoulder, helped him back into the ring. Jeffries was helpless and staggering, and just as his knees cleared the floor, Johnson stepped forward to deliver a right to the jaw—but Rickard pushed the Negro aside. Jeffries swayed over toward his corner, and Johnson stepped in with a deliberate jaw punch, which sent the white man to the floor.

Jeffries lurched to his feet just at the count of ten, and as he raised himself from the floor he spat out a great mouthful of blood. The last blind instinct of the fighting animal warned Jeffries to clinch, and he hung on with what little strength he had left while Johnson mauled him clear across the ring.

Sam Berger jumped through the ropes, but Rickard's back was turned and he did not see the acknowledgment of defeat until Jeffries had been floored for the third and last time.

The following is a description of the fight by round:

Round 1. Jeff walked in and

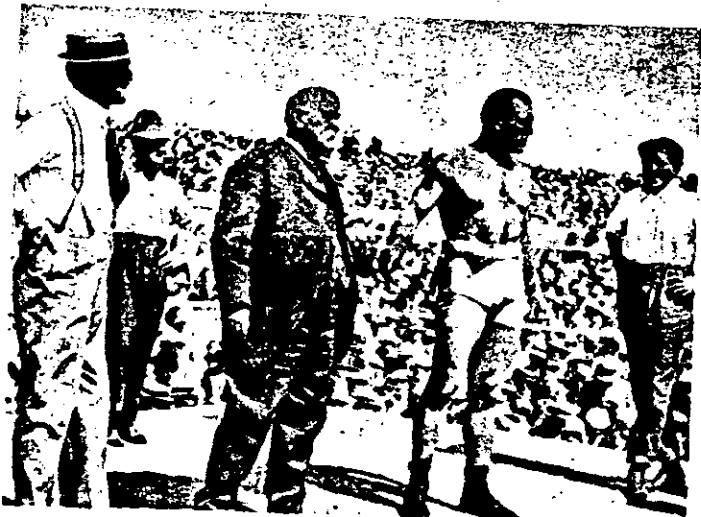
Johnson gave ground. Johnson led a straight left. Then a clinch followed. Jeff hooked a left to the neck and in the clinch sent a left to the body. Johnson responded with a left and they continued to stand breast to breast, trying for inside blows. As they broke, Jeff sent a left to Johnson's neck and crossed to the body. The round was tame. As they turned to their corners, Jeff tapped Johnson on the shoulder and smiled.

Round 2. Jeff assumed his crouch but missed his first attempt. Jack forced the pace, and Jeff stepped nimbly away. Jack sent a left to Jeff's face, and as they clinched ripped a hard uppercut to Jeff's chin. They held together and were willing to give each other any chance. Jeff sent a right to the ribs and took a left on face at close quarters. Jeff crouched and waited for Johnson, but he was not willing. They came together without a blow, and Johnson tried his uppercut but missed. Jeff put a right on Jack's shoulders and pushed him about. When they broke, Jack shot his left hard to Jeff's face and tried his uppercut, but missed again. There was a lot of wrestling and not much fighting. The gong rang without a good blow having been struck.

Round 3. Johnson fell into a short left to the stomach. They clinched. Jack dashed a left to the nose, and they clinched again. Johnson missed with right and left uppercut, and then Johnson tried a vicious right to the head, but Jeffries ducked and clinched. Johnson was very cautious on the breakaways. Johnson sent two light rights to the head and they clinched. At the bell, Jeffries sent a light left to the head. The round was even.

Round 4. Johnson sent a left to the head. Jeffries blocked Jack's right to the same place, and a clinch followed. Jeffries sent three hard rights to the stomach. Johnson put a left to the head. Johnson's nose was bleeding. Jeffries went into a clinch. Johnson sent a right to the kidneys. In the clinch, he sent a

(Continued on next page)



Bill Jordan, the veteran announcer, introduces Jeffries to the crowd.

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straight left to the head and then took one in return. They clinched. Johnson held in the clinches. Johnson went against the ropes and took three jabs to the stomach. The crowd went wild at Jeffries' showing. At the break, Johnson sent a long right to ear, without damage. Jeffries had a shade the better of this round.

Round 5. They sparred, and Johnson kept talking to Jeffries. He kidded Jim in the clinches. Jeffries rushed in with left to the ribs. Then a clinch. Johnson sent a long left to the stomach but did no damage. Jack worked a left uppercut to the jaw, and Jim's mouth was slightly cut. He dashed in and sent two lefts to the face. They clinched again, and Johnson worked an uppercut to the face. They sparred, and Johnson backed away. He appeared to be very cautious and played on the defensive. Jeffries sent a straight left to the mouth and another to the nose, increasing the flow of claret from that organ. They were clinched at the bell. Round even.

Round 6. The pace was slow up to this time without doing much damage to the men. Johnson shot a left to Jeff's face and closed Jeff's right eye. Jack missed two rights. Jeff's nose was bleeding when the gong rang. When Jeff took his seat, his seconds got busy with his eye, but Jeff told them that it was O.K. It was Johnson's round.

Round 7. Jeff walked right in. Jack led right and left and missed. Jeff's eye was badly swollen and he rubbed it with his glove. He feinted about and tried to draw Johnson on, but the Negro declined to come in. Jeff stepped in with a left to the body, but missed it and took a left on the head. Jeff hooked a left to the jaw. Johnson sent in lefts to the face. Jeff pulled his way into another clinch but failed to land. He drew Jack into a lead and shot a left to the face. In a close quarter mix-up, Jack sent his left to the face.

Round 8. They sparred at the opening, and Johnson feinted. They rushed into a clinch, and Jack hooked to the ear with a left. Johnson sent two rights to the head and repeated a moment later. Johnson blocked beautifully. In a half-clinch, Jeffries pounded the stomach. Jeffries ducked a left and took a right on the chest. They clinched again. Johnson sent a left to the stomach. Johnson's round by a slight margin.

Round 9. Jeff stood up and walked into a left to the chest. "Make him fight!" yelled Corbett. "Never mind, just wait," said Johnson. Johnson walked in and tried a left for the body. Jeff got inside of it and put his head against Jack's chest and shoved him back to the ropes. Jack took it all calmly and seemed to be waiting the opportunity to land a good one. Jeff walked into two left jabs on the face. They did no damage. His wrist landed hard on the ribs, and Johnson did not appear to like it. It was Jeff's round.

Round 10. They came up slowly. Jack shot a left to the face, but Jeff brushed it away and responded with a left to the body. Jack again missed a lightning right for the jaw. Jeff put his shoulder against Johnson's body and shoved him back. At close range, Johnson sent a left uppercut to Jeff's face. Jeff got under a left lead and seemed to want to wear Jack out by bearing his weight and

shoving him. Jeff struck out two lefts to the face from a clinch and got one of the same kind. Jeff took two lefts on the face when they broke. He stepped in quickly and shot a left to the body as the gong rang.

Round 11. They walked up carefully, Jeff finally trying his left only to find it blocked. He took a left in the face three times, but smiled and talked to Jack. They broke away from the clinch and Johnson sent a stiff left uppercut to the face and a right to the body. He kept Jeff bobbing his head to keep away from the right uppercut whenever they came together. In a clinch, Jack sent two uppercuts to the face and Jeff appeared tired. They shoved about—Jeff with his head on Jack's shoulder—and when they finally broke, Jack hooked a left to the nose, drawing blood. Jeff appeared tired, compared with Johnson. Just before the call of time, Jeff rushed in and sent a left and a right to the body, but Jack was going away and was not hurt. Decidedly Johnson's round.

Round 12. Jeff walked over, waiting for a chance to get inside Jack's defense. Jack simply waited and then drew back and hooked a left to the face. Jeff bored his way to close quarters, but got a left on his sore nose for his reward. His nose bled freely, and as he turned to take his seat at the gong, he shot out a mass of blood. Jeff was not worried apparently and looked fresh.

Round 13. When they broke, Johnson sent a left to the body and a right uppercut to the chin. "Stick there, Jeff!" shouted Corbett. Jeff stuck until he was forced away. Then he took two lefts and a right uppercut to the jaw. Holding him with right on shoulder, Johnson sent in three lefts to the face in quick succession and then an uppercut to the face. Jeff seemed to be slow. He could not solve Johnson's defense and took all the blows that came his way. Jack swung a left to the face and then calmly clinched. Jeff continued to come in. The round was all Johnson's.

Round 14. Jeff's eye was almost closed. Jeff walked into a left to the ear. Jack tapped the big fellow on the face twice and blocked Jeff's attempt at close fighting. Jeff took three straights to the face and got in a left to the face. Jeff's lefts were blocked by Johnson before they could get within six inches of his face.

Round 15. When the men faced each other, it was plain to all that Jeffries was in distress. His face was puffed and bleeding from the punishing lefts and rights he had received, and his movements were languid. He shambled after the elusive Negro, sometimes crouching low with his left hand stuck out in front, and sometimes standing erect. Stooping or erect, he was a mark for Johnson's accurately driven blows. Johnson simply waited for the big white man to come in and chopped his face to pieces. Jeffries' friends began to call to Rickard to stop the fight. Rickard gave no heed to these appeals. Jeffries was helpless now, and as he staggered to his feet the Negro was waiting for him. A left, a right, and another left—short, snappy, powerful blows—found their mark on Jeff's chin and he went down for the third time. Placing his hand on Johnson's shoulder, Referee Rickard declared him the winner.

THE END

65-58236-2055

How Our C-Men Catch Smugglers

(Continued from page 2)

watched him work methodically and quickly. In one cabin, he would stand in the doorway and look around, much as a bloodhound might sniff for a scent. He would grunt and walk out to the next cabin, where the performance would be repeated. In the third cabin, he opened a closet and rummaged haphazardly; pulled out a few drawers and looked behind them; thoughtfully tapped the hand-basin pipes. Apparently, there was nothing suspicious.

"I don't expect we'll find anything this trip," he told me.

As we went from cabin to cabin, the inspector told me that nowadays most smugglers try to bring in diamonds. "But they're usually brought by air. Let me tell you about a sensational case..." And here is the story he told:

Eta Hoffman, strikingly dressed, made a charming picture as she walked toward the airport buildings, feetering slightly on the latest mode in high wedgie heels. The Belgian brunette had landed at New York's International Airport and was entering the United States as an immigrant, intending to become an American citizen and live here the rest of her life.

But Customs officers were wise to her tricks. The dark beauty failed to pull the wool over their eyes, and within a few minutes, Uncle Sam's men made the greatest single haul of smuggled diamonds ever seized in this country.

In the hollowed-out compartments of the wedgie heels, the officers found \$696,000 worth of diamonds—and careful probing disgorged another \$600,000 in the cut-out supports of her hand baggage. These diamonds would have fetched more than three million dollars on the open market here. The C-Men had been tipped off.

Smuggling is about as old as mankind, and the biggest names in stage, screen, and TV-radio have been among those attempting to smuggle luxury items into the United States, although they can well afford to pay the duty. Prominent society names have figured on Customs lists of people fined for trying to bring in jewelry they bought cheap abroad. Even royalty has had its brushes with the Treasury inspectors.

Professional smugglers are constantly thinking up new gimmicks to hoodwink the C-Men, and while a good "nose" for a smuggler is an asset, Customs sleuths are not born—they are made. The man chiefly responsible for making them is Supervising Training Officer Joseph A. Kennedy, a powerfully built, graying veteran of the service who heads the Bureau of Customs Schools, located in a shabby building two blocks from the imposing Customs House, on Bowling Green in downtown Manhattan.

Helped by suave, handsome Chief Inspector Walter D. Duminski, his top assistant, Kennedy presides over more smugglers' gadgets than the average magician would use on an extended foreign tour. He showed me the suitcase in which Eta Hoffman had tried to hide her diamonds. It was one among a score of bags, trunks, and packing cases. There were sliding sides, heavy hollow locks and hinges, false bottoms, hollow wooden staves in the cases.

"The person who tips us very often is the man who gets his money both ways," said Kennedy. "He gets paid for making the case—and then he turns his client in to us for a percentage of the seizure."

Kennedy revealed that there was an international ring operating between Europe and the United States trying to buck the gold act passed in 1934.

"The idea is simple. The ring buys gold here and smuggles it out. With Europe's soft currencies fluctuating like mad, the operators get about three times its value. Then they buy diamonds, which are cheaper in Europe, smuggle them back into the U.S., sell them for greenbacks—and start the cycle all over again. Each round should turn in a profit of about five hundred per cent. The members

ing what little they had left that they would hide their few trinkets in the most inaccessible places—unwilling to trust even the American Consular officials, who pointed out repeatedly that they could take in anything they owned—but not gifts. Customs men in New York still smile when they recall the case of one nervous Estonian. He had declared a number of gifts, and the inspectors had estimated a duty of fifty dollars.

"I haven't any money," protested the refugee. In the next breath, he asked, "Can I change my shoes? These hurt."

"Sure," replied the Customs man, slightly puzzled. Struck by the almost loving care with which the Estonian packed the shoes in his case, the C-Man grabbed one and



This trunk had a false back. Watch movements worth thousands of dollars were found concealed behind it.

of the ring would be millionaires many times over if we weren't here. Eta Hoffman was one of their stooges."

He described how keen-eyed C-Men—suspicious when they saw that an empty automobile, freighted to Germany, was sagging slightly on its springs—seized \$175,000 worth of gold bars and sheets which the ring was attempting to smuggle out concealed in a special "cage" welded to the underside of the rear fenders.

Sometimes the smugglers will talk. FBI men were called in on one case after the Customs men found \$238,000 worth of cut diamonds in a false compartment of an overnight bag carried by a woman. She talked, and fifty-five persons were involved in the conspiracy.

Lately, smugglers have been trying to start up a booming trade in small, uncut diamonds from Palestine. A haul of \$50,000 was recently found in the hollowed-out back of a clothesbrush.

Strangely enough, some of the cleverest at concealing valuables were those refugees entering under the D.P. Act, who were entitled to bring in all their possessions. Because of their difficulties in escaping from Iron Curtain countries, or their postwar experiences in German D.P. camps, they were so fearful of los-

were found aboard a passenger liner; and best of all, more than one million dollars' worth of heroin was found hidden in the tail assembly of a plane at La Guardia Airport.

Each ounce of these drugs is worth between \$300 and \$500 on the retail market here.

Supervising Training Officer Kennedy opened a jar that contained a lump of what looked like chewing tobacco. It was pure hashish—the dream drug—and even the smell was exotic. Samples of opium appeared a dirty off-white, while cocaine was a pure-white powder—as innocent-looking as baking soda, with which it is sometimes mixed by unscrupulous narcotic peddlers.

Kennedy tells his classes, which average six weeks of intense study, of the age-old classic: how Arab smugglers fed metal capsules containing morphine and heroin to camels and then drove these camel caravans into Egypt, where the camels were slaughtered and the drugs sold profitably.

"You won't find many camels coming into the United States," he tells his men. "But you'll find every other dodge and trick."

His classroom, with desks and benches like any public-school classroom, is almost a museum of smuggling gadgets. There are a variety of suitcases with sliding backs and sides, false tops and bottoms, hollow studs. There are hollow heels and books, brushes and combs—even a hollow champagne cork. Special vests are pocketed for watch parts; and there are even compartmented brassieres and girdles.

But not all smuggled goods can be hidden that easily. Parrots have been a major headache and problem to Customs men since the Public Health services quarantined the birds after the outbreak of psittacosis in the early thirties. But the number of parrot lovers in this country increased considerably with the return of soldiers and sailors from the Pacific, and the smuggling of the birds reached peak proportions in 1952—estimated at \$250,000.

Most of the birds are brought into Mexico from Belgium and Holland, and then run, as wetbacks, over the Rio Grande or the land frontier in boats, autos, even airplanes. Thousands of birds were seized last year and scores of arrests were made. One seizure alone, in San Diego, amounted to \$30,000.

Psittacosis is still a deadly disease, and the Customs officers asked the *Police Gazette* to stress its dangers. Smuggled birds caused several deaths last year, and even one of the C-Men became critically ill. If you must buy a parrot, warn the inspectors, make sure your dealer has proof of its origin and of the Customs clearance. This guarantees the bird's health.

Occasionally, a Customs man runs across a puzzle, as did Chief Inspector Duminsky a few years ago.

"I had inspected a shipment of wine," he said. "One had a rattle inside, and a bung probe hit a solid object. I felt sure I was hot on the trail of a smuggling gimmick, so I went to the winery two weeks later to watch the barrel being tapped and the wine bottled. When the barrel was empty, we tipped it over. Inside was a beer bottle, empty. I could still read the label showing a Melbourne, Australia, brand.

"I will probably never know how that Australian beer bottle got into a barrel of wine from France."

THE

Gambling with Guns

(Continued from page 13)

pale and almost slunk out of the room as Pasquale called him a few well-chosen names and warned him about clipping any more of his friends.

In a few hours, the news that I'd clipped Dapper Dan was running wild over Broadway. I picked up my redheaded girl friend and started on a real junket. It was with something more than a hangover that I returned to my apartment at dawn the next morning. The phone was ringing and I picked it up.

"Tony?" I heard Don Pasquale's urgent voice. "Get over to my house right away."

"Won't it wait, Maestro? I'm dead tired. I want to get some sleep," I protested.

"If you don't get over here right away, you'll be sleeping for a long, long time," said Pasquale.

I grabbed a cab and went right over. The Maestro had a long face and he filled me in.

It appeared that Dapper Dan had borrowed his \$25,000 from Arnold Rothstein, telling him he had a sure thing set up. Rothstein heard that Dan had lost his dough. When he didn't see the Rat around, he sent a couple of thugs to pick him up. They found Dan in his hotel room, his bags packed, ready to skip town fast. Dapper Dan squealed to Rothstein that he had been gyped. He claimed he caught me cheating and that, under the rules we made, I should give him the bundle.

"Rothstein got his hoods out looking for you. You'd better blow town," said Pasquale.

"Not on your life," I told the Maestro. "I'm going to see him."

Confronts Gambler

I went straight to Arnold Rothstein's penthouse apartment in the Park Central, and the door was opened by his favorite girl friend, Inez Norton—a big, beautiful blonde. She took me to the kitchen, where Rothstein was sitting drinking milk and talking to Legs Diamond, Fats Walsh, his bodyguard, and Bill Fallon, his mouthpiece.

"I hear you're looking for me," I told Rothstein. "I hear the Rat says he caught me cheating. That's a lie and I can prove it!"

Legs Diamond got up and slapped me across the face. "Shut up!" he yelled. "Dapper Dan's a friend of

mine—and nobody can tell me that he lies!"

Rothstein told Legs to keep quiet. "How can you prove it?" he asked me.

"I took Frankie Marlow's ace gunman, Tommy Phillips, along with me," I replied. "He was there all the time and saw every move. Ask him."

Rothstein picked up the phone and got Frankie. He talked for a few minutes, and I heard Frankie say, "It's on the level, Arnold. My man saw it all. Call off your thugs and tell Legs to lay off Tony. He's a friend of mine."

Enemy into Friend

Rothstein managed a smile, although it seemed to hurt. He turned to me, but I beat him to the punch. I didn't want him for an enemy.

"Arnold," I said, "I didn't know it was your money Dan was betting. I can't give it back now, because we clipped the Rat for revenge and have paid back some of it to the guy he cheated. But Pasquale and I will see you don't lose. We'll set up a game in a few days and lead a Jo-Jo to the slaughterhouse. You'll be in the winning seat that night."

Rothstein was all smiles. But he turned to Bill Fallon and ripped into him: "Bill, you're drinking too much. Get on the wagon—and fast."

Then he shook my hand and we talked awhile. The only sour note was Legs Diamond, who sat in a corner glowering at me. But in my young and foolish way, I paid no attention to him.

A couple of hours later I went to see the Maestro. "We're all set now Pasquale," I said. "Rothstein is our friend." I gave him a breakdown of our talk. It was two o'clock in the morning when I left his house. I'd had a little to drink and I was kind of excited as I closed the door behind me, so I missed my footing and sprawled down the front steps.

As I fell, I saw a sedan parked across the narrow and dimly lighted Brooklyn street. Flames shot from it as a machine gun rattled noisily and the slugs whined toward me.

Anthony Marrone's adventures and experiences as Broadway's biggest gambling operator will be continued. Watch for his intimate inside story of the fabulous gambling racket next month in the November issue.

All-American Baseball Team

(Continued from page 9)

Robbie." And he remains as consistent a hitter as you'll find in any ball club.

Manager Paul Richards, of Chicago White Sox. We can start right off by granting that Leo Durocher of the Giants is the master tactician, the most colorful "gambler." But he only haunts his team with day-in, day-out losses of temper while fighting umpires, and tends to be panicky in manipulating pitchers. We'll say, too, that there is no more kindly, fatherly manager than Steve O'Neill

—the kind that makes you want to succeed so you won't disappoint him. But baseball is a game of fierce climaxes, of split-second decisions plus long-range generalship, of morale pitched high over a six-month span. For the embodiment of most of these talents in one man, Richards is tops. He rates this honor if only for the fact that he's the first manager in a quarter of a century who thoroughly succeeded in teaching his players not to be demoralized by the word "Yankees," lettered across an enemy uniform! THE END



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The Case of the Lost Honeymoon

(Continued from page 16)

struck his wife—in the head, chest, and stomach. Offhand, I'd say they were of small caliber."

"Good guess," said Barnes, holding up a shell he had just found on the floor. "A twenty-two. Any powder burns?"

"No. They were shot from a distance."

Barnes turned, and his shrewd eyes narrowed as he studied the pattern of bloodstains on the floor. "Looks to me like Fisher, after he was shot, managed to get up, started to walk toward the door, then collapsed. I'd say the killer let 'em have it from the doorway."

The coroner nodded in agreement. Barnes went into the parlor, where Emerson sat, his face twisted with grief. "Know if any money's missing from the house?"

"Yes. One hundred and fifty dollars. Dad was going to use it to buy a tractor. I've looked all around for it, but I can't find a nickel of it."

"That gives us a motive," said Barnes.

"Probably some thieving tramp." "Could be," said Barnes noncommittally.

The bullet that killed Fisher could not be found, but the other three slugs fired by the slayer were recovered from the body of his wife.

"Check every farmer in the area," Barnes told his deputies. "Maybe one of them owns the gun we want."

"It'll be like hunting a needle in a haystack," one pessimistic deputy remarked. "Bet half the farmers in Williams County own twenty-two rifles. And if I was the killer, I'd get rid of the gun."

Barnes smiled grimly. "Even smart killers slip up. And when they slip, that's where we come in."

While his deputies went gun hunting, Barnes dropped around to see the Fishers' neighbors. He spoke first to J. S. Greene. "Fisher stopped to talk to me around eight o'clock last night," said Greene. "He was on his way back from the post office."

"Did he go right home?"

"Yes. And that was the last time I saw poor George alive."

"Did you hear shots—screams?"

"Not a sound. There was a high wind last night, and"—Greene jerked his thumb in the direction of the nearby New York Central Railroad tracks—"those trains made quite a noise, too."

The Search Narrows

Days passed. Williams County began grumbling. The double murder, the most sensational in the county's history, was still unsolved. Maybe, folks said, Barnes should have called in a smart city detective. Barnes was getting nowhere. By now the slayer might be a thousand miles away.

Coolly ignoring the criticism, Barnes kept plugging away. He proceeded to question the Fisher family. The Fishers had five children, all living in Ohio. They were Emerson, of Mason's Pit; Mrs. Robert Watson, of Ney; and Mrs. Olin Rubel, Mrs. Carmen Strawser, and Mrs. Helen Hartman, all of Bryan.

Of the five, Mrs. Hartman seemed the most upset. And with reason. Not only had her parents been murdered, but just a day before the killings, her son, Jack, a tall clean-

cut youth of eighteen with gray-blue eyes, had marched into the house with a girl of sixteen and announced that they had eloped to Indiana three days previously and had gotten married. Mrs. Hartman introduced the bride, a beautiful blonde named Dolores, who had been a drum majorette in high school.

"Anyone here own a twenty-two rifle?" Barnes asked.

"Yes," said Mrs. Hartman, paling. "Jack. But you don't think he—"

"Of course not. We're simply checking all guns in the area as a matter of routine."

"Jack loved his grandfather," Mrs. Hartman said. "Fact is, his grandpa gave him forty dollars for a wedding present."

Barnes nodded understandingly. Mrs. Hartman handed him Jack's gun. It was a twenty-two repeater.

"Where's Jack now?"

"Main Street. On an errand."

Barnes took the gun and left.

Later, ballistics tests showed that



Sheriff Barnes examines bedclothing.

Jack Hartman's rifle was the weapon that slew his grandparents.

Barnes could move in a hurry when he had to. He jumped into his car and sped back to the Hartman home. Jack was still out. Seeing the suspicion written on the sheriff's face, Dolores snapped, "Don't be silly, Sheriff. Jack wouldn't kill his own grandparents."

"Maybe not."

"According to the newspapers, they died some time between nine and nine-thirty Friday night—right?"

"That's right."

The girl smiled triumphantly. "That lets Jack out. He was with me then. Five miles from Melbern."

"Where?"

"At the roller-skating rink here in Bryan. Jack couldn't be at the rink and in Melbern at the same time, could he?"

"How long did you stay at the rink?"

"Until eleven-thirty."

"And Jack was with you all the time?"

Dolores nodded emphatically.

"Let's go over it—minute by minute," Barnes said.

They did. It developed, much to Dolores's astonishment, that there was a gap of nearly an hour in which she had not seen her husband at the rink.

Barnes drove to Main Street. He didn't find Jack, but he learned the

youth had just bought a fifty-five-dollar pistol and a box of shells and had been seen driving his automobile out of town at a rapid clip. Barnes issued an alarm for Jack over the state-highway-patrol radio. It warned that he was armed and dangerous.

The next day, Jack's car was found wrecked near the Maumee River, thirty miles east of Bryan. In it was a box of cartridges. Twenty-five bullets were missing from the box.

Despite the mounting evidence against him, Dolores's faith in Jack was unshaken. She went on the radio and, weeping, appealed to him to return home. "I want him back!" she cried. "I want him to come back to me, to give himself up, and clear his name! He didn't do it! I know he didn't do it!"

The pathetic appeal went unheard—or unheeded.

At 2:00 A.M. on May 18, Patrolmen K. E. Burdett and R. E. Dougherty were on duty in Parkersburg,



The victims—Mr. and Mrs. Fisher.

West Virginia, two hundred miles from Bryan, when they spotted Jack walking along a street and stopped him for questioning. The Parkersburg police had never received the Ohio alarm; the two cops had stopped Jack merely because he was a stranger walking the streets at a late hour.

Telltale Evidence

Finding him reluctant to talk, they frisked him and discovered a loaded pistol. He was taken to a police station and booked for carrying a concealed weapon. Then detectives went through his pockets. One found a sheaf of papers filled with writing.

"What's this?" the detective asked.

"Nothing," replied Jack. "Just a diary."

The detective sat down and began reading it. The diary showed that Jack had done a lot of traveling lately. He had hitchhiked to Toledo, Detroit, New York, Washington, and Florida.

The detective tensed as he read one passage: "If you ever get to read this," it said, "I'll be dead. They'll never take me alive."

Another passage proved even more interesting. It said: "Grandpa was in bed. I'm not sorry I killed them. What I'm sorry for is that it took away from me the one

thing I love." The "one thing I love" referred to his bride.

The detective looked up. "What's this stuff about your grandparents?"

Then and there Jack Hartman confessed.

Waiving extradition, he was rushed back to Bryan, where he made a statement to Prosecutor Gerald Fenton and signed it. He said he had heard Fisher had a large sum of money in the house to buy a tractor. Jack decided to borrow some of that money to finance a honeymoon. He took Dolores to the roller-skating rink, and while she was skating with friends, he sneaked out shortly after 9:00 P.M. and drove to the home of his grandparents. He brought along his rifle.

He banged on the door, and his grandfather got out of bed and let him in. Jack said he wanted \$150. His grandfather said he couldn't have it.

"We began to wrestle for my rifle," Jack said. "Pretty soon Grandpa said he would go into the bedroom and get the money. I followed him in. He handed me the bills, remarking, 'You're crazy, and I'm going to turn you over to the police.' I raised my gun and fired. My grandmother, who was in bed, screamed, and I shot her three times so she wouldn't tell. Then I ran back to my car."

He raced back to the rink. It never occurred to him to get rid of the gun. He said he thought his "airtight" alibi would suffice. He hadn't counted on Sheriff Barnes's rigorous, minute-by-minute check-up. When Barnes began closing in, Jack took flight.

Dolores, who had refused to believe the announcement of his confession, visited Jack in prison. There she learned the truth. Disillusioned, she filed suit for an annulment.

The Trial

Jack's trial for first-degree murder began July 11 in Common Pleas Court, Bryan. The young defendant chose to be tried before three judges, instead of a jury.

Taking the stand in his own defense, he repudiated his confession and tried to pin the crime on James Connolly, twenty-one, a friend of his. He said he met Connolly by chance on a street in Bryan on May 4, and Connolly told him he needed money. Jack said he replied, "I know where we can get some."

The next day, Jack said, he and Connolly drove in separate cars to a spot near the Fisher home. He said Connolly took his twenty-two rifle and disappeared around a corner of the house. A few minutes later he returned, handed Jack a roll of bills and the rifle, and admitted shooting the Fishers.

Connolly was promptly arrested. He denied Jack's accusation.

The judges trying Jack found him guilty, but postponed sentence pending the outcome of the charge against his friend. The Connolly case went to the grand jury. There were several discrepancies in Jack's story, and the grand jury refused to indict. Connolly was freed.

Jack was sentenced to spend the rest of his life at the state penitentiary in Columbus. He had beaten the electric chair, but he would never go honeymooning with Dolores. His honeymoon was lost, irrevocably, through an "airtight" alibi that sprang a leak and a diary that told too much.

THE END

They're at the Post!

(Continued from page 21)

wager on a horse who has early speed but an outside post position, don't worry about his bad spot. Go ahead and bet on him, regardless of the popular prejudice against outside positions. Even if he can't get in front of the entire field, his early speed will at least place him among the leaders, with a good chance of getting reasonably close to the rail.

Of course, it's true that an outside post position costs a horse some footage, because he must eventually cut across at an angle in order to get near the rail. But the footage thus lost is quite small compared with the many yards of ground a medium or slow starter must lose.

For that matter, the so-called good post positions closer to the rail don't necessarily have to be considered a big bargain at all times. Many betters like to have their horses in one of the inside stalls merely for the sake of a good position. This is fine for a quick starter, but it's no help for a slow-starting horse.

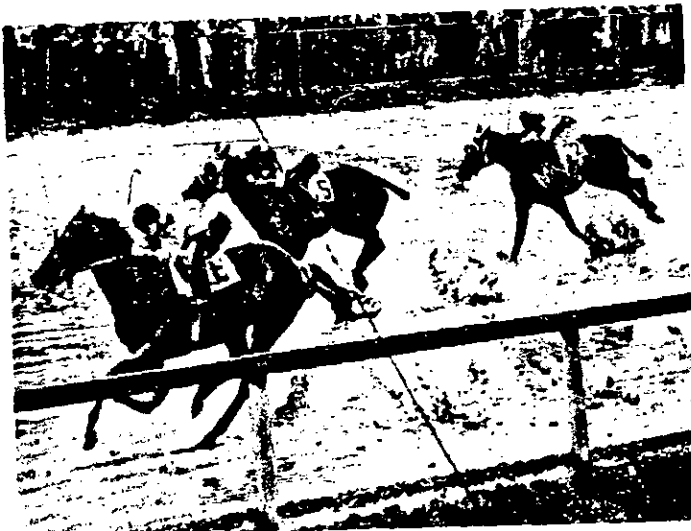
Despite his good inside post position, a slow-starting horse finds almost immediately after the race has

lose some ground when he finally challenges for the lead—because he'll probably have to swing to the outside and "run around" the leaders. Those leaders won't let him sneak through on the inside if they can prevent it.

The second method inevitably means the loss of considerable ground. Thus the good post position wasn't of much help.

A horse who starts with average quickness from one of the middle post positions—such as numbers five, six, seven, or eight—has his troubles, too. If he breaks with the pack, he is likely to find himself in the dead center of a traffic jam. If there is any bumping, he's in a position to get it from both sides.

As a general rule, here is a simple way in which you can judge how and when a post position becomes important: Study the distance between the starting point and the first turn. The importance of a post position is directly related to this distance. The longer the distance to the first turn, the less a post position matters. The long straightaway gives



Jet Pilot broke from the farthest outside post in a thirteen-horse field to win the 1947 Kentucky Derby. Above, he splashes to victory in Jamaica Handicap.

begun that the road directly ahead is blocked. His rivals who get away faster have settled into the more advantageous lanes near the rail.

Under these circumstances, the jockey on the slow starter has to make a choice between two plans of procedure in order to move up. He can (1) attempt to work his way between horses, hoping to find and take advantage of an opening here or there, or (2) take his mount to the outside for racing room.

The first method is risky business, especially in a large field of horses. There is danger of running into close quarters and being forced to take up—to say nothing of the danger of being pocketed completely. It takes a good, smart rider to pick his way forward between horses without getting into trouble.

Even if the jockey succeeds in moving up between horses, the chances are that he'll still have to

the field plenty of time to become strung out before hitting that first turn, and there's less danger of any horse being forced extremely wide around the bend.

At Churchill Downs, the Derby's starting point is at the head of the stretch. The horses have a straightaway of about three-eighths of a mile before reaching the first turn. That's plenty. Races of a mile or longer at Belmont Park permit a long straightaway run down the backstretch before a turn is made. That's also plenty.

But when there's only a short distance between the start and the first turn, post positions become more important. The horses who start slowly or with average quickness from the outer positions naturally get the worst of it.

The moral is: Bet on horses who can get away in a hurry from any position.

THE END

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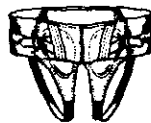
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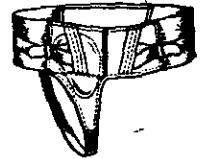
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the boys yelled as I dragged myself into the gym, says Jowett Puppi, Gleason R. Cleveland. "Then I gained 70 lbs. and made the football team."



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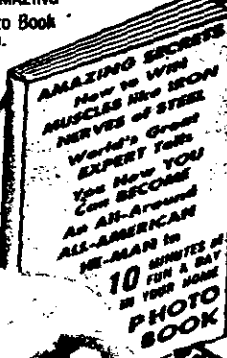
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Mail the "ALL-FREE" coupon
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An All-Around
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10 MINUTES in
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Let's go, young fellow, Now YOU give me **10 PLEASANT MINUTES A DAY** IN YOUR HOME LIKE SLIM JOHN SILL DID and I'll give YOU a new **HE-MAN BODY** as I gave **MANY Thousands** like YOU **NO!** I don't care how skinny or OVER by the SAME method I turned myself from a wreck to the strongest of the strong. Why can't I do for you what I did for **MANY THOUSANDS** of skinny fellows like YOU?
Develop YOUR 520 MUSCLES
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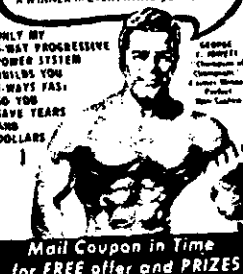
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Carter K.O.'s 'Em with Fear

(Continued from page 15)

When it came to the stretch of their fifteen rounds, Salas had it; Carter didn't. Six months later, in their return bout, Carter was in the pink of physical condition at 135 pounds. His easy victory proved it. But between that fight and the one with Collins, Carter, in over-the-weight matches, successively was held to a draw by Freddie (Babe) Herman and lost to Eddie Chavez and Armando Savoie.

Folks began to warble funeral dirges over Carter, but it was strictly an illusion. As soon as Jimmy got back to the 135-pound figure, he came back to himself again—the evidence being the squelching of Collins and the battering of Araujo.

According to Carter, there's an extra zing to his punches since he resumed his defending chores this year.

"You don't miss what you have till you lose it," he explained. "and since I've got it, I'll knock the block off anybody who tries to take it away again. I think my opponents know that—and it doesn't do them any good."

That may be. There's no doubt that George Araujo went to meet Carter like a man walking the "last mile." How will it be with the other challengers who breathed words of defiance for this article? No one can predict positively now. Only the battle hour will decide. **THE END**



Jimmy Carter (left) takes a right jab to the face during his meeting with George Araujo. Carter's triumph here added to his K.O. reputation.

Hollywood's Boy Wonder

(Continued from page 9)

that light doesn't fit in with the singer's recent plan to put on more pounds—and solid ones, at that.

During the first three weeks he added ten pounds to his five-foot-eight-inch frame, to make it a solid 140. O'Connor's program is plenty of weight-lifting and plenty of calorie-heavy foods. He seldom drinks more than one cup of coffee a day and he dropped smoking when he began his health program.

Another of O'Connor's likes is friends. "But I mean real friends, not just acquaintances," he added.

Among Donald's extravagances are expensive clothes and expensive automobiles. He loves to go to formal affairs and has six different formal outfits alone. Recently, he bought a new Jaguar convertible, apparently to replace the Cadillac his estranged wife, Gwenn, retained in their recent settlement.

O'Connor is an avid sports fan and especially loves boxing. In fact, it was the fights that was cited by his wife as an important reason for her divorce action.

He is also an accomplished golfer, and while too modest to compare himself with filmland's link experts, Bob Hope and Bing Crosby, Donald only grinned when his friend boasted he could hold his own with either of the two.

One of his chief faults, his friends averred, is lack of punctuality when he's not working on a picture. (Another is a bad memory.) When working on a picture, the actor's habits are reasonably regular. But between pictures, or on vacation, any resem-

blance to regularity in his behavior is purely coincidental. He goes to bed when the inclination hits him, and gets up in the morning by the same prompting.

One of the chief reasons Donald doesn't hit the sack earlier is his liking for chewing the rag with friends or fans who happen to meet him when he is away from home. He will talk for hours on the merits and demerits of leading sports figures or teams without a thought of the time. However, once back in harness at the studio, Donald, who is rounding out twenty-seven years in show business, readjusts to the imposed regularity immediately—with no visible evidence of strain.

Recently, O'Connor became the youngest adult in show business to join the screen's immortals by imprinting his feet and hands in concrete in the forecourt of Grauman's Chinese Theater. He won the honor for his co-starring role with Ethel Merman in Twentieth Century-Fox's *Call Me Madam*.

O'Connor's ten-year-old on-again off-again marriage to Gwenn finally hit the rocks for what appears to be the final crack-up last month. However, friends still believe there is a good chance for a reconciliation before the year-long interlocutory period is finished.

Before Donald went on vacation this summer, he turned down a chance to make \$150,000 for six week's work to do it. It was a question of either making another film or getting a well-deserved rest. He took the rest. **THE END**



WORRIED READER

"I don't believe your magazine has a letters to the editor department, or that it would print this letter even if it did. But your answer would be very interesting if you should."

"I have just read your latest Hitler-Peron article and would like to laugh at it like I have the rest, but the sinister quality of the work is too grave to provoke mirth. You are trying to say that Argentina is an enemy of the United States, and that Germany could again be the target of American guns and hate, as well as Spain and the Arabic nations of the Middle East."—HERBERT C. WOODS, Palestine, Texas.

Editor's Note: The *Police Gazette* series "Hitler Is Alive" was based on documented evidence uncovered by various Allied governments. We just presented the facts.

HITLER'S LIFE STORY

"I have been following your 'Hitler Is Alive' series and have just gotten the latest issue of the *Police Gazette* and read your new article on Hitler. It's wonderful. I am looking forward with much interest to Alan Bullock's story of Hitler's rise to power in next month's issue. I hope there are many more of these fine articles. Keep up the good work on the rest of the magazine too."—WALTER BRONSON, Van Nuys, Calif.

ADVENTURE FAN

"Was glad to see that F. A. Mitchell-Hedges, the famous explorer, is writing for the *Police Gazette*. His article on the 'Sinister Island of the Lost World' was terrific. Why not try to get a whole series of Mitchell-Hedges' experiences?"—TERRY REGAN, San Francisco, Calif.

Editor's Note: The adventures of F. A. Mitchell-Hedges will appear in forthcoming issues of the *Police Gazette*.

A REPORT ON HITLER

"Thought you should know that Otto Bemberg, the Argentine industrialist and banker, backed up your charges that Peron aided Hitler's escape and the Fuehrer first came to Argentina after the downfall of Germany. In an interview he gave *U. S. News and World Report*, here is the exchange:

"Bemberg: To further stress my strong belief that the Nazis had an upper hand in Argentina was the strange arrival of two German submarines in 1945.

"Question: What time in 1945? After V-E Day?

"Bemberg: Yes, in August, 1945. There are people who believe that these submarines first landed some passengers in Patagonia before giving themselves up to the Argentine authorities in Mar del Plata. I also understand there is information in Germany proving that another submarine also went to Patagonia, which was later sunk, after having disembarked its passengers and crew.

"Question: And you think that on

these two submarines were some important Nazi passengers?
 "Bemberg: Yes, I do.
 "Question: Did the press say anything about this?
 "Bemberg: The arrival of the submarine in Mar del Plata was obviously mentioned but nothing about the disembarkation of passengers, as the secret police did a superb job in cloaking the significance of this arrival as a deep mystery.

"After reading the Bemberg interview there is no question in my mind that your staff investigators did a remarkable job in exploding the myth of Hitler's death. I'm now fully convinced that Hitler is indeed alive."
 —WILLIAM BENSON, Washington, D.C.

BING CROSBY FAN

"I've read your biography on Bing Crosby. It's the best, most honest story on the crooner that I've ever read, and I've read a great deal about him, since he's my favorite.

"It occurs to me that there should be a Hall of Fame for movie stars the same as they have for baseball players. Bing should be the No. 1 star, first to go in the Hall of Fame. It would be a good idea for the *Police Gazette* to start the movie Hall of Fame."—GEORGIE JOHNSTON, Omaha, Neb.

ANSWERS TO QUERIES

Paul Pafocchi, Kentfield, Calif.

Jake Kilrain was defeated in 75 rounds by John L. Sullivan in Richburg, Miss., July 8, 1889.

Jim Raskin, Atlanta, Ga.

Ted Allen, of Boulder, Colo., was the World Horseshoe Pitching Champion in 1946.

Charles Rice, Detroit, Michigan

Eddie Tolan of the USA went the 100-meter run in the 1932 Olympic games. His time: 10.3 seconds.

George Lockert, Memphis, Tenn.

The Walker Law legalized boxing in New York State in September, 1920. It was sponsored by State Senator Jimmy Walker, who later became the Mayor of New York City.

Timmy Morgan, Philadelphia, Pa.

James Figg was the first British bare knuckle boxing champion. He held the title from 1719 until 1730, when he retired, undefeated.

Albert Ferron, Montreal, Canada

Bob Lemon, the Cleveland Indian hurler, never pitched for the New York Yankees.

CORRECTION

We regret that in publishing "What's Behind Your Headaches," by Dr. Miriam Lincoln, in the July, 1953, issue, the credit line "From the book *Your Health, Sir!* Copyright, 1951, 1952, 1953 by Miriam Lincoln. Published by Harper & Brothers" was inadvertently omitted.

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2. My Love (When I'm With You)	20. My Love
3. The Way You Look Tonight	21. The Way You Look Tonight
4. The Way You Look Tonight	22. The Way You Look Tonight
5. The Way You Look Tonight	23. The Way You Look Tonight
6. The Way You Look Tonight	24. The Way You Look Tonight
7. The Way You Look Tonight	25. The Way You Look Tonight
8. The Way You Look Tonight	26. The Way You Look Tonight
9. The Way You Look Tonight	27. The Way You Look Tonight
10. The Way You Look Tonight	28. The Way You Look Tonight
11. The Way You Look Tonight	29. The Way You Look Tonight
12. The Way You Look Tonight	30. The Way You Look Tonight
13. The Way You Look Tonight	31. The Way You Look Tonight
14. The Way You Look Tonight	32. The Way You Look Tonight
15. The Way You Look Tonight	33. The Way You Look Tonight
16. The Way You Look Tonight	34. The Way You Look Tonight
17. The Way You Look Tonight	35. The Way You Look Tonight
18. The Way You Look Tonight	36. The Way You Look Tonight

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Skin Specialist Demonstrates How To Rinse Away Your Blackheads

By CLAIRE HOFFMAN

Today I saw a leading skin doctor show an audience of men, women and skin-troubled teen-agers how to clean oily skin and shrink their enlarged pores with a 10-minute home medical treatment he has perfected. Then he demonstrated how you may rinse away externally caused blackheads, and dry up whiteheads and adolescent pimply skin eruptions!

Before our very eyes the doctor selected a 30-year-old woman with typically oily skin. This woman had blackheads around her nose. Enlarged pores and whiteheads visible to the naked eye. To this woman's face, the doctor applied a cream. Within moments it firmed into a plastic-like mask. Next he sprinkled her face with water, and handed her an ordinary washcloth to rinse the cream from her skin. To her utter astonishment, clinging to the washcloth, were not only grimy black streaks of dirt... but several blackheads and pus formations which had marred her beauty for years.

As we stared at the washcloth in disbelief, the doctor's assistant turned to us and said: "You have just seen what looks like a miracle. Yet, what has just been done for this woman's skin, you can do at home just as easily. But to understand how this medical formula acts to help clear skin troubles you must first knock out of your head some silly notions most people have about their complexions."

The Truth About Cosmetics

Has it ever occurred to you that you lavish more care on your face than any other part of your body... yet isn't that where you find the most offensive looking pimples, blackheads, blotches and enlarged pores? So why do you do about it?

Nine out of 10 women say they don't or won't understand that if they have oily skin, blackheads, pimples or enlarged pores, they may not only have a cosmetic problem... but a medical problem as well.

Now why is this so? Shocking as it seems, if nature gave you either a normal or oily skin, your face is always dirty! Why? Because 24 hours a day your face is always exposed to soot, smoke, factory dirt, car exhaust, coal dust, noxious fumes and other germ-laden dirt that pours into the air. It clings to the natural oils on your skin.

Your pores become choked and clogged. Your natural oils are stopped up and harden into blackheads or pimples. They try to push out, forcing your pores to open wider and wider. Once this condition starts (especially during adolescence, when glandular disturbances make your skin extra oily) the condition usually grows worse and worse as you grow older. And when this happens... isn't it obvious that it may become impossible to correct unless you start to change your complexion care immediately!

Do THIS for a Clearer Skin

If you want to rid your face of ugly blackheads, enlarged pores and externally caused skin eruptions, these are the three things you must do:

First, you must soften the hardened filth and oils that may have accumulated in your pore openings, not only for days but for months! Second, you must remove that filth (but don't squeeze it out. Squeezing only forces part of the pus deeper into your skin

and spreads the infection!) And third, you must try to tighten your skin with shrinking and antiseptic agents, not only for beauty, but to guard you against re-infection! And unless you are prepared to do all three things it's likely you will go on wasting your time and your money the rest of your life looking for "miracle cures!"

What Happens When You Apply This Doctor's 3-Way Formula

First, to prepare your skin for treatment, we are going to soften and loosen the buried filth cemented into your pores. The scientific pore cleanser which is part one of this famous skin doctor's treatment is unlike any other cleanser you have ever used in your life, regardless of how much you can afford to pay. And here is how you can prove it on your skin.

Apply the doctor's scientific pore cleanser. Tissue it off! Now, look at the tissue!

When you see the dirt and filth peering out on that tissue... when you see the infectious filth and indescribable wastes that may have been causing your skin eruptions since adolescence... then and only then will you begin to understand why you need a drastic change in complexion care.

2) The second part of your doctor's treatment is a medical cream designed to get at those ugly blackheads, whiteheads and externally caused pimples which cause you so much misery.

Apply it to your face with your fingertips as you would any cream. A little thicker around the "danger area"... mainly around the nose, lips, eyes and cheeks.

The first 3 or 4 minutes you will feel a strong stimulation. This is the massaging action of the medical ingredients going to work on your skin. Your face will feel hot and cold. You will like it. Your face will feel refreshed. It is like a massage without irritation bringing fresh, purifying blood to your face to draw off the poisonous wastes in your skin.

After 3 or 4 minutes this hot and cold action goes away and a wonderful relaxation of all your tense, over-worked facial muscles sets in. Your pulse tends to slow down and you are so relaxed you feel a great tendency to fall asleep. In another moment, you will feel your skin getting tighter and tighter. What is happening is this. A wonderful medical absorbing agent doctors call ARGILLA is drying on your skin. It is turning the cream on your face into a firm, plastic-like mask. You get a pleasant drawing feeling, a relaxing feeling, there is a corrective action, there is an astringent action and an antiseptic action. You feel the ARGILLA drawing on the pus-heads. Everything it touches it draws into itself, including the hardened oils, the dirt, the waste matter, the fatty acids, whatever filth is buried in the pores. Including some of the blackhead materials, perspiration and poisons given off by the skin.

After 10 minutes rinse the mask away. Hot or cold water makes no difference. It dissolves in a second. Your skin feels clean, refreshed, sparkling, smoother! Like velvet! But wait... you haven't finished your first treatment yet!

Now Apply Step 3 of Your Treatment... the Astringent

This is not merely a perfumed alcohol that tickles your skin for a few seconds. It's medicated. It penetrates into your pore openings. Kills bacteria lurking there. And even more important, leaves an invisible germ-destroying film on your skin that kills germs for hours. You cannot feel it, you cannot see it, but it is there to help guard you against re-infection!

Now Look into the Skin Analysis Magnifying Mirror We Send With Your Treatment!

Some of your blackheads should be gone with very first treatment! Look for softened pimples and whiteheads that may break or be drawn out in your next treatment or two. Look at the corners of your eyes, the corners of the nose, around your mouth, your cheekbones! See how your enlarged pores have tightened! Your skin will feel alive! And you will be amazed to see minor wrinkles gone... and this fresh, buoyant, youthful effect will last for hours.

Is THIS for "Normal" Skin, Too?

Certainly. Simply because this is a doctor's formula doesn't mean that you have to have a "sick skin" to use it. You may be a woman past 30 who has never had a really serious skin problem, but who finds herself annoyed by occasional blackheads, whiteheads, enlarged pores or periodic skin eruptions. You may be a woman who suspects that your skin is not as beautiful and as fresh-looking as it could be... but your cosmetic creams can't give it to you. In that case... we think you'll be thrilled by the sheer, smooth, silken beauty that one or two treatments can give you.

On the other hand... if you have an adolescent, broken-out skin, if you are a man who is troubled by blemishes or a "sandpaper skin" and you are sensible enough not to be ashamed to use a so-called "woman's treatment" in the privacy of your own home... or if you are a woman who has abused her complexion with improper and inadequate cosmetic preparations... then this is vital.

We promise you dramatic improvement with your first 10 minute home treatment. Your magnifying mirror will show it to you, and we promise you further rapid improvement for the next 14 days. After 14 days, you will discover whether you have to keep using all or part of the treatment every day, once a week, or once a month, depending on how fast your complexion begins to clear.



ABOVE, LEFT: a typical example resulting from improper skin care. ABOVE, RIGHT: 10 minutes with a skin specialist's home medical facial described in this article may pave the way to a remarkably clearer skin.

Try This Skin Treatment in Your Own Home Without Risking a Penny!

The name of this 3-way doctor's formula is the Queen Helene Skin Treatment. It is named in honor of the nurse who worked at the doctor's side for 15 years while this formula was being developed. Your Queen Helene 3-way formula, enough for 42 home treatments, includes your scientific cleansing cream, your medicated mask cream and your medicated pore astringent. The cost is \$3.98... less than 10¢ a treatment. Yes, less than 10¢ for a skin specialist's 3-way skin and beauty treatment.

With your order, you also get a professional skin analysis, enlargement mirror, at no extra charge. Follow your daily progress in your mirror and after each treatment. If your Queen Helene treatment does not do for you skin everything we have led you to believe it will do, if you don't see dramatic improvement after just one 10-minute treatment, if you don't see a faster improvement each day for the next 14 days, return the unused portion. We'll thank you for trying it, and refund your full purchase price. But keep the enlargement mirror as our gift to you.

But act today! The longer you wait the worse your skin is bound to get. And like any other condition, the worse it gets, the longer it takes to get well. So right now, while you're determined to help yourself, send coupon today! Para Laboratories Sales Corp.

(Laboratories established 1930)
© Copyright 1953; Para Labs Sales Corp.

Mail No-Risk, Free Trial Coupon Today!

PARA LABORATORIES SALES CORP., Dept. PG
400 Madison Ave., New York 17, N.Y.
Please rush me by return mail my complete Queen Helene Doctor's Skin Treatment, including:

1. SCIENTIFIC CLEANSER.
2. MEDICATED MASK CREAM.
3. ASTRINGENT.

Plus my free skin analysis enlargement mirror.
I will pay postman low introductory price plus federal tax and postage. If I don't see dramatic improvement in my skin after just one 10-minute treatment, if Queen Helene doesn't do for my skin everything you have led me to believe it will do, I will return unused portion for my money back. But the enlargement mirror is mine to keep anyway.

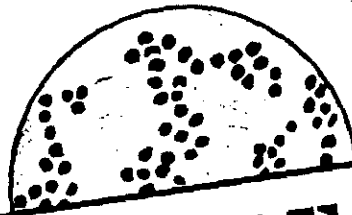
QUEEN HELENE PRICE LIST (Check also desired)
 \$3.98 (plus Fed. Tax) enough for 42 home treatments of less than 10¢ a treatment.
 \$5.95 economical professional skin (plus Fed. Tax) enough for 90 home treatments for one person—enough for 42 home treatments for 2 persons at less than 1¢ a treatment. (You save \$3.01.)

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ADDRESS.....
CITY..... ZONE..... STATE.....

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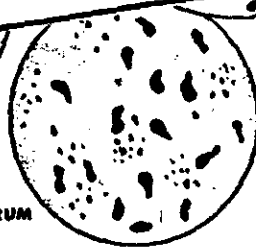


STAPHYLOCOCCUS ALBUS

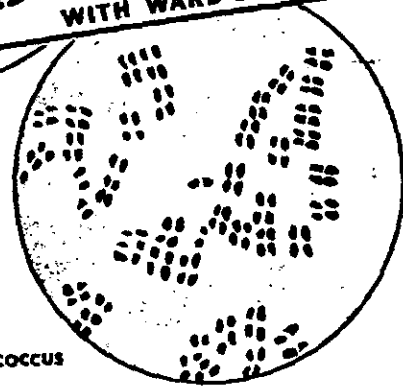


KILL THESE GERMS WITH WARD'S FORMULA

PITYROSPORUM OVALE



MOROCOCCUS



NOTHING, Absolutely nothing known to Science can do more to

SAVE YOUR HAIR

Beware of your itchy scalp, hair loss, dandruff, head scales, unpleasant head odors! Nature may be warning you of approaching baldness. Heed Nature's warning! Treat your scalp to scientifically prepared Ward's Formula.

Millions of trouble-breeding bacteria, living on your sick scalp (see above) are killed on contact. Ward's Formula kills not one, but *all four* types of these destructive scalp germs now recognized by many medical authorities as a significant cause of baldness. Kill these germs—don't risk letting them kill your hair growth.

Once you're bald, that's it, friends! There's nothing you can do. Your hair is gone forever. So are your chances of getting it back. But Ward's Formula, used as directed, keeps your sick scalp free of itchy dandruff, seborrhea, and stops the hair loss they cause. Almost at once your hair looks thicker, more attractive and alive.

We don't ask you to believe us. Thousands of men and women—first skeptical just as you are—have proved what we say. Read their grateful letters. Study the guarantee—it's better than a free trial! Then try Ward's Formula at our risk. Use it for only 10 short days. You must enjoy *all* the benefits we claim—or we return not only the price you pay—but **DOUBLE YOUR MONEY BACK**. You be the judge! © Ward Laboratories Inc., 1430 Broadway, New York 18, N. Y.

ENJOY THESE 5 BENEFITS IMMEDIATELY

1. Kills these 4 types of germs that retard normal hair growth—on contact
2. Removes ugly infectious dandruff—*fast*
3. Brings hair-nourishing blood to scalp—*quickly*
4. Stops annoying scalp itch and burn—*instantly*
5. Starts wonderful self-massaging action—*within 3 seconds*

Here's the Proof!

We get letters like these every day from grateful men and women all over the world.

I must admit I didn't have much faith in it, but I hadn't been using Ward's one week before I could see it was helping me. I could feel my hair getting thicker.

E. K., Cleveland, Ohio

Out of all the Hair Experts I went to, I've gotten the most help from one bottle of Ward's Formula.

C. La M., Philadelphia, Pa.

After using Ward's for only 12 days, my hair has stopped falling out.

R. W. C., Cicero, Ill.

I am tickled to death with the results. In just two weeks' time—no dandruff!

W. T. W., Portola, Cal.

I feel encouraged to say that the infuriating scalp itch which has bothered me for 5 years is now gone.

J. M. K., Columbus, Ohio

We gladly cooperate with Physicians and Hospitals desiring to make clinical tests of Ward's Formula. Please write.

TO SAVE YOUR HAIR ACT NOW. Send coupon today for 10-day offer. Send No Money

GUARANTEE

Use Ward's Formula for 10 days. If you do not enjoy all the benefits we claim, we will return to you, **DOUBLE YOUR MONEY BACK** unless you actually **SEE FREE HAIR**. ENJOY ALL benefits before claimed. If only 10 days. The test is at our risk. All you do is return unused portion of the empty bottle unless completely satisfied.

SEAL

Ward Laboratories Inc.

DOUBLE YOUR MONEY BACK GUARANTEE

Ward Laboratories Inc.
19 West 44th Street, Dept 7510F New York 36, N. Y.

Rush Ward's Formula to me at once. I will pay postman two dollars plus postage. I must be completely satisfied within 10 days, or you **GUARANTEE** refund of **DOUBLE MY MONEY BACK** upon return of bottle and unused portion.

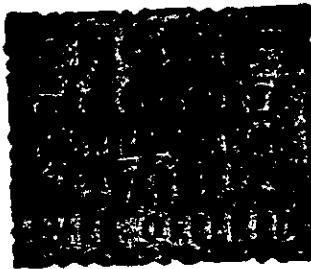
Name.....

Address.....

City..... Zone..... State.....

Check here if you enclose \$2.00 with order, and we will pay postage. Some refund offer holds, of course.

APO, FPO, Canada and Foreign, add 25c—No C.O.D.'s.



Smiling and healthy today — in a Hospital bed tomorrow! It can happen to you, and with shocking suddenness!



Sky-high Hospital bills can wrack your life savings if you don't have enough Hospitalization. Mail Coupon Below!



Look ahead! Think what a blessing it will be to fall back on reliable help with those Hospital bills. ACT NOW!

PROTECTS YOU and YOUR FAMILY
IN CASE OF SICKNESS or ACCIDENT . .

No Time Limit HOSPITAL PLAN

PAYS BENEFITS FOR **FULL STAY** IN HOSPITAL



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This Policy is Sold Only By Mail . . . It's Good Anywhere in U.S. and Possessions! If sickness or accident puts you in a Hospital bed — you'll look back and thank your lucky stars you were wise enough to take out the "NO TIME LIMIT" Policy. It's the sensible, practical way to protect your own bank account against the onslaught of high Hospital costs. Ask anyone who's been through a siege of Hospital bills. They'll tell you what a comfort it is to have good, safe Hospitalization to fall back on. And we offer you so much more for your money. So ACT TODAY! Do it before trouble strikes.

YOU CAN GET MATERNITY For slight extra cost husband and wife can have a MATERNITY RIDER attached to their regular Policy and this will entitle the couple to a liberal benefit for childbirth, confinement, and care.

SO SUDDEN!



COSTS ONLY
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a Day**

WE PAY CASH DIRECT TO YOU

IN ADDITION TO WHAT YOU MAY COLLECT FROM OTHER INSURANCE Go to the Hospital for a day, a week, a month, a year or longer — your "NO TIME LIMIT" Policy pays Benefits just as long as you stay — there's absolutely no time limit!

My, what blessed help! What's more, the "NO TIME LIMIT" Policy pays off in cash direct to you — regardless of what you may collect from any other insurance policy for the same disability, including Workmen's Compensation. This is important — it means you can carry the low cost "NO TIME LIMIT" Policy IN ADDITION to any other insurance — then collect two ways in case of Hospital

confinement. This is the way practical minded folks are protecting their savings against today's sky-high Hospital bills.

So be wise! If you're already insured with one Policy — get the "NO TIME LIMIT" Policy for vital EXTRA protection. Of course if you're not insured at all, then by all means get this Policy just as fast as you can — before it's too late.

ACCIDENTAL DEATH, SURGERY, POLIO INCLUDED

This is truly the opportunity of a lifetime. We give you more coverage, better coverage, longer coverage at a low cost you can easily afford. The "NO TIME LIMIT" Policy "thinks" of everything. You get generous Hospital Room and Board Benefits for sickness or accident (rest homes, sanitariums and Govt. Hospitals excluded) . . . you get Cash Benefits for 73 Surgical Operations . . . Lump Cash for accidental death . . . Cash Payment for loss of eyes, hands, feet . . . special Polio Protection, plus still other valuable coverages. Maternity Rider is available at slight extra cost. There's no waiting period for benefits to start. One Policy covers individual or entire family, birth to age 73. You'll see the low costs in the booklet we send you. Remember — all benefits are paid in CASH DIRECT TO YOU. DON'T TAKE CHANCES — BE PROTECTED. Send for our FREE BOOK which tells all about this remarkable, low cost insurance value.

DON'T WAIT TILL IT'S TOO LATE! ACT NOW!

HAPPY DAY!



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Please send me, without obligation, full details about your new, low cost NO TIME LIMIT HOSPITAL Plan. No agent will call.

Name
Address
City Zone State

Office Memorandum

UNITED STATES GOVERNMENT

GOVERNMENT

TO : THE DIRECTOR

DATE: October 6, 1953

FROM : MR. D. M. LADD *DL*

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

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

SYNOPSIS

With respect to your inquiry as to why it would be undesirable to have representatives of the McCarthy committee interview Greenglass and Gold, the following are a number of items which point up the undesirability of such interviews:

1. The Rosenberg case attracted world-wide publicity and the effective answer in the case to Communist propoganda was that the defendants were accorded every possible avenue of appeal, and that the evidence withstood every attack. If the McCarthy committee takes over and tries without a factual basis to tie the case into the Ft. Monmouth inquiry, the Communists will propogandize the issue as showing the Rosenbergs were the victims of a McCarthy smear.
2. Morton Sobell is still appealing his case, and both Gold and Greenglass were witnesses when Sobell was tried with the Rosenbergs. If Gold and Greenglass are interviewed and statements made by them are publicized, this might well become an issue in the Sobell appeal.
3. We are still investigating offshoots of the Rosenberg case and the attorney for William Perl (who is serving a sentence for perjury) has been trying to convince Perl to cooperate with the Government. It could well interfere with this and other investigations of the Rosenberg network to have Greenglass and Gold

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[Handwritten initials]

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interviewed and conceivably the result might be to prejudice or compromise future prosecutions which might ensue.

4. Greenglass and Gold have been exhaustively interviewed by our agents. They have never furnished any information indicating knowledge of espionage at Ft. Monmouth. Roy Cohn, who assisted in the prosecution of the Rosenberg case, must be well aware of this and yet he apparently wants to use these two men to give a sensational flavor to the Ft. Monmouth inquiry.
5. Interviews by Congressional investigators of Gold and Greenglass might conceivably have the ultimate effect of alienating their cooperative attitude with respect to future interviews by Bureau agents and might result in a desire on their part for assistance from the Government in reduction of their sentences or in parole.
6. If we are successful in having Joseph Katz returned to this country, Harry Gold will be an important witness. Gold's effectiveness as a witness might be seriously hampered or lessened if he has been used in publicity efforts by the McCarthy committee.

RECOMMENDATION

The above is submitted for your information and points up the undesirability of having Gold and Greenglass interviewed by McCarthy committee investigators.

McCARTHY COMMITTEE INQUIRY INTO
FT. MONMOUTH SITUATION

Regarding your inquiry as to reasons why it would be undesirable for representatives of the McCarthy committee to interview Greenglass and Gold, the following is to be pointed out. It appears that Roy Cohn of the McCarthy committee in his contemplated interviews with David Greenglass and Harry Gold is trying to establish a connection between the Rosenberg case and subversive activities in the Army Signal Corps, particularly at Ft. Monmouth.

Assistant United States Attorney James S. Kilsheimer furnished the following information to the New York Office on an extremely confidential basis. Roy Cohn had told him that the McCarthy committee plans to have some preliminary hearings in New York City in the near future. Cohn claimed he had fourteen to sixteen individuals who had been planted at Ft. Monmouth by Julius Rosenberg. He indicated that he was attempting to obtain approval to interview David Greenglass and that while he did not have an airtight espionage case on the facts he had at hand, he thought he had enough on which to base inquiries. Cohn mentioned several names, including Joel Barr, Alfred Sarant, Vivian Glassman, and Eleanor Glassman. It is to be recalled that Julius Rosenberg worked for the Army Signal Corps from 1940 to 1945, when he was dismissed on security grounds by the Army. Alfred Sarant also worked for the Army Signal Corps at Ft. Monmouth from September, 1941, to September, 1942. His resignation was requested because of labor agitation by him at the plant. Vivian Glassman worked at Ft. Monmouth from March to September, 1943, and her sister, Eleanor Glassman, was also employed there for a short period. Joel Barr was employed at Ft. Monmouth from July, 1940, to February, 1942, and was dismissed after an Army investigation disclosed he had signed a Communist Party petition in 1939. All of the foregoing persons were implicated to some extent in the Rosenberg espionage apparatus with the exception of Eleanor Glassman. We still have pending investigations on Barr, Sarant, and Vivian Glassman.

Investigation to date on these individuals has failed to develop any information indicating that they were involved in espionage activities while employed by the Army Signal Corps Laboratory.

It is to be remembered that Roy Cohn assisted in the prosecution of the Rosenberg case and has a thorough knowledge of the case, including knowledge of the activities of Vivian Glassman, Joel Barr, and Alfred Sarant. He is thus in a position during the committee's inquiries to bring out a lurid story of espionage and by conjecture to tie it in with Ft. Monmouth and with individuals who have been employed there and were associated with members of the Rosenberg group. Cohn is smart enough to realize this and that it is not necessary for him to produce factual evidence to establish an espionage connection between the Rosenberg case and suspected subversive activities at Ft. Monmouth.

BASIC REASONS WHY GOLD AND GREENGLASS SHOULD NOT BE INTERVIEWED

The basic danger in allowing Cohn or any Congressional Committee representatives to interview Greenglass or Gold is that the basis for the Congressional inquiry is publicity and propaganda and not cold factual court procedure. The Rosenberg Case has international ramifications and was used as a propaganda vehicle extensively by the Communist Party internationally. The propaganda reached unheard of heights in this country and every effort was made by the Communist Party to cloud the issue and to cast doubt on the veracity of the witnesses, the conduct of the court and the Government generally. The Bureau's position throughout, and it was necessary for the Bureau to keep the Department and the rest of the Government in line, was that the Rosenberg case should not turn into a three ring circus but should be handled logically and that justice, carefully administered, should take its course.

If Gold and Greenglass are interviewed and testify, they may make statements in their eagerness to help or for lack of memory which may be twisted or taken at variance with their testimony at the Rosenberg trial. Any statements

they make will be utilized as propoganda and not run out investigatively for truth. Even the slightest variation of their statements will be played up by the Communist Party as miscarriage of justice in the Rosenberg case. In fact, any attempt by Cohn to drag out the Rosenberg case into a headline-seeking series of hearings cannot help but remove the Rosenberg case from the realm of reason and careful adjudication of justice to the realm of witchhunting and in casting doubt around the case itself.

It is seriously doubted that the welfare of the country in the long run will be served by any tampering through propoganda and witchhunting such as this hearing would be with a case which has been carefully investigated and tried in the courts. As far as Gold and Greenglass are concerned, they may well be witnesses in further prosecutions and their effectiveness should not be destroyed by mingling them in with hearings of this type. In fact, interviews with them could well change their attitude toward the Government. Our experience has been that such Congressional interviews are not pointed toward factual proof but are pointed to securing statements which can be used for headline purposes.

Interviews of Gold and Greenglass by McCarthy representatives could set a precedent for interviews of other convicted subjects by Congressional committees and this could not but have a harmful effect on the development of future witnesses for the Government by the FBI and in fact on our whole concept of the administration of justice based on fact as compared with the tactics employed by Congressional committees.

OBSERVATIONS

With the foregoing in mind, I feel the following are a number of items which point up the undesirability of interviews of Greenglass and Gold by the McCarthy investigators:

1. The Rosenberg case came under Communist propoganda attack and attracted world-wide attention. Our Government's effective answer to this propoganda was that the defendants were accorded every possible

avenue of appeal, including numerous appeals to the Supreme Court. Our evidence withstood every attack. If the McCarthy committee now takes over and attempts without a factual basis to tie the case into the Ft. Monmouth inquiry, there can be no question but that the Communists will propagandize this issue in an effort to show that the Rosenbergs were the victims of a McCarthy smear.

2. As you know, Morton Sobell is still appealing his case and has the backing of the same committee which propagandized in behalf of the Rosenbergs. Both Gold and Greenglass were important witnesses when Sobell was tried with Julius and Ethel Rosenberg. Interviews of Gold and Greenglass by the committee investigators and publicity given to any statements made by them may well be utilized in legal appeals by Sobell's attorneys and in any event the group in the National Committee to Secure Justice for the Rosenbergs will use this issue in a propaganda campaign.
3. We are still investigating a number of cases which grew out of the Rosenberg espionage network. One of the most important cases involves William Perl, who is presently imprisoned as a result of a conviction for perjury. Perl's attorney has recently been endeavoring to secure Perl's cooperation with the Government. It is felt that Perl could uncover important members of the espionage network, and it could interfere with this and other investigations of the Rosenberg network to have Greenglass and Gold interviewed, and it might conceivably prejudice or compromise any future prosecutions which might ensue.
4. Greenglass and Gold have been exhaustively interviewed by our agents. They have been unable to furnish any information which would indicate an espionage apparatus operated at Ft. Monmouth. Roy Cohn, who assisted in the prosecution of the Rosenberg case, must be well aware of this but

apparently he desires to use these two individuals to give a sensational flavor to the Ft. Monmouth inquiry without regard to whether there is a factual basis to the matter.

5. Interviews by Congressional investigators of Gold and Greenglass might conceivably have the ultimate effect of alienating their cooperative attitude with respect to interviews by Bureau agents and might result in their wanting the Government to assist them in obtaining a reduction of sentence.
6. As you know, we are attempting to have Joseph Katz returned to this country for prosecution. Harry Gold will be an important witness if Katz is returned, and Gold's effectiveness as a witness might be seriously hampered or lessened if he has been used in publicity efforts by the McCarthy committee.

~~AP/LS~~
LW/LS
[unclear]

Office Memorandum • UNITED STATES GOVERNMENT

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

TO : Mr. J. Edgar Hoover, Director, FBI
 Mr. Warren Olney III, Assistant
 Attorney General, Criminal Division

DATE: October 2, 1953

FROM : *cm*
 Charles M. Metzner
 Executive Assistant to the Attorney General

SUBJECT: THE ESTATE OF JULIUS AND ETHEL ROSENBERG

It has been reported that the Rosenbergs executed wills, the exact contents of which are unknown except that it is reliably reported that their attorney, Emanuel Bloch, was designated as the executor of the estate and guardian for the children.

It has been further reliably reported that the Rosenbergs turned over to a publishing house the letters written while they were in Sing Sing with the proviso that these letters be published in book form and the proceeds of the sale be used for the support of their children.

Up to date Bloch has failed to offer the will, or wills, for probate. No one knows what has happened to the proceeds of the sale of the book. It has been reported that the Committee for the Defense of the Rosenbergs is contemplating a public drive for funds for the support of the children. Action should be taken to prevent any funds from either of these two sources from being used for Communist activities.

The following course of action is suggested:

Under New York law the assets of a resident may be administered under the direction of the surrogate by the public administrator in default of application by the executor under a will or by any interested party for letters of administration. The Rosenbergs were residents of New York County. The public administrator of New York County should petition the court for his appointment as administrator of the estate. These would certainly include at least the proceeds of the sale of the book. A check would have to be made as to whether the publishing house is situated in the State of New York. If it isn't, then the public administrator would have to apply for ancillary letters wherever the publishing house is found.

At this point it is recognized that Bloch may offer the will for probate, but in either event the Court will acquire jurisdiction

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over the fund with broad discovery powers which can be utilized in connection with annual accounting proceedings.

If the public administrator is appointed without opposition from Bloch, then the question of the appointment of a guardian for the children arises. Mrs. Greenglass should be used in this connection to counter-balance any application from relatives stemming through Julius Rosenberg. Here again, if Bloch comes forward with the will designating him as the guardian, the Court still would have complete jurisdiction over Bloch since he would have to render annual reports of his guardianship.

I suggest that the United States Attorney, J. Edward Lumbard, be requested to take this matter up with Surrogate George Frankenthaler and explore the above suggested course of action and report back before anything is set in motion. We should be prepared to furnish to the public administrator sufficient facts upon which the formal application can be made and substantiated. These would include, among other things, the name and address of the publishing firm, the date of the publication of the book and some proof of actual sale, the names and addresses of the children of the Rosenbergs and of the parents and brothers and sisters of the Rosenbergs.

As Mr. Olney has suggested, Mr. Lumbard should have the New York law checked as to what sanction exists, if any, for the failure to file a will.

Will you kindly let me have the benefit of your comments on the above.

Mr. Charles V. Metzner
Executive Assistant to the Attorney General

October 5, 1953

Director, FBI

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THE ESTATE OF JULIUS AND ETHEL ROSENBERG

In connection with your memorandum of October 1, 1953, setting forth action contemplated in an effort to determine the disposal of funds being received for the Rosenberg children, the Bureau agrees that such action, if feasible, should be undertaken.

Our New York Office is being instructed to render any assistance that J. Edward Lumbard, United States Attorney, Southern District of New York, may request in connection with this matter.

For your information, the name and address of the publishing firm for the book entitled "Deathhouse Letters of Ethel and Julius Rosenberg" is reported to be the Jero Publishing Company, Incorporated, 401 Broadway, New York 18, New York. It is interesting to note that Emanuel H. Bloch, attorney for the Rosenbergs, has his law office at the foregoing address. Our New York Office has been requested to identify this firm, its officers and directors and the date and place of incorporation. Mr. Lumbard will be advised of the results of this inquiry.

65-58236

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/16/86 BY SP4 PWT/B

cc - 1 - Assistant Attorney General
Larren Cliney III

cc - 2 - New York (Attachment)
Attention New York Office: Attached is carbon copy of letter from Mr. Metzner, Executive Assistant to the Attorney General. You are instructed to render any assistance requested by Mr. Lumbard in this matter. Promptly identify the Jero Publishing Company, Incorporated, its directors and officers, date and place of incorporation, and advise the Bureau and Mr. Lumbard.

APL:blb

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

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OCT 6 1953
COMM-FBI

OCT 1 1953

WAB

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (65-58236)

DATE: 9/30/53

~~CONFIDENTIAL~~

FROM: SAC, WFO (65-5521)

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R

CLASSIFIED BY 3042/PWT/CLS
ON 10-23-81

ReBulet to New York, cc. Washington Field, dated July 22, 1953, in which WFO was directed to interview EDWARD T. CHEYFITZ regarding the "Greco" letter.

Mr. EDWARD T. CHEYFITZ, 4810 Morgan Drive, Chevy Chase, Maryland, was interviewed in his office, Room 1,000, Hill Building, Washington, D. C., on September 4, 1953, by SA LEWIS E. GLENN and SA HOWARD FLETCHER, JR. At the start of this interview Mr. CHEYFITZ was advised of the Bureau's investigation to uncover foreign espionage agents and that his cooperation was being solicited in an effort to identify "Greco". Mr. CHEYFITZ readily admitted knowing JOSEPH CURRAN and RICHARD PACK and his father, CHARLES PACK. He advised that CHARLIE PACK was now president of the Dohler-Jarvis Company, Toledo, Ohio. He felt that the writer of the "Greco" card was someone from the Toledo, Ohio area since they would be the ones who would know his, CHEYFITZ', background and the fact that he was acquainted with CHARLES PACK. He furnished the following names of persons who were in the Die Casters Union in Toledo, Ohio who he believed might have such information regarding himself: ARTHUR KALINSKY; KENNETH OSTHEIMER; NATHAN PINE; who is possibly employed by the Willys-Overland Company, Toledo, Ohio; RALPH FISHER; BOB (ROBERT) FISHER; all of Toledo, Ohio, and CARL CANNON, Apex Smelting Company, Chicago, Illinois. He advised that he would like to have more time to think over the "Greco" card and possibly he would come up with a more logical suspect.

The above-named Agents recontacted CHEYFITZ on September 10, 1953 at which time he advised that after considering the matter further he felt that the most logical person who would be familiar with his knowing both RICHARD PACK and JOSEPH CURRAN was DALE GORDON, who in 1936 or 1937 was Toledo, Ohio section organizer for the Communist Party. The reason for arriving at this deduction was that GORDON was in Toledo, Ohio when he, CHEYFITZ, returned from Russia and was in a young social group of liberals in Toledo. He stated that he and RICHARD PACK also attended meetings of this group. CHEYFITZ felt that he would be most likely to have discussed his activities in Russia, specifically the fact that he had taught physics while in Russia, just after his return to the United States. He recalled at these young social gatherings GORDON, PACK and himself had numerous discussions.

HF:gm:mj
2- Cleveland (RM)
2- New York (65-15348)(Enc. 1)(RM) INDEXED-39

RECORDED-39 65-58236-2058

Let to New York 10/7/53
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Exempt from GDS, Category 1
Date of Declassification Indefinite

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He described RICHARD PACK as a somewhat rather well-to-do person and one who at that time felt that the wealth of this country should be spread out more evenly and not concentrated in a few. As a result of this, young PACK was interested in the under-privileged class. Mr. CHEYFITZ pointed out that his teaching physics in Russia would be the only basis for the remark in the "Greco" card which described him as a physicist. He stated that actually he was not a physicist and only had it in high school. With regard to DAVE GORDON knowledge that he, CHEYFITZ, was acquainted with JOSEPH CURRAN, he recalled that he had requested DAVE GORDON to assist him in securing a job for a friend of his in Toledo. He stated that during this time the fact that he knew JOSEPH CURRAN was brought to the attention of DAVE GORDON. He stated that the only information that he knew pertaining to DAVE GORDON was that his wife's name was LOTTIE and that he was a section organizer of the Communist Party in Toledo around 1936. ~~DAVE GORDON~~

The records of the House Committee on Un-American Activities contain a Communist Party yearbook for Ohio for the year 1937. On page 55 of this book was the following description of DAVID GORDON:

Paper worker, Joint YCL in 1924. Two years International Representative of Paper, Pulp and Sulfate Workers Union. Leader in New York Trade Union Movement for federal unemployment insurance. Until his departure for Spain, Toledo section organizer of the Communist Party. Now in the Mackenzie-Papineau Battalion.

A check of the indices of the Washington Field Office was made and no information was located which could be identified with DAVID GORDON.

The Cleveland Office is requested to check its indices and furnish New York and the Bureau with any information which would reflect that DAVID GORDON was or could have been engaged in espionage activities.

For the information of the Cleveland Office the following letter was received by the New York Daily News, postmarked June 11, 1953, New York, New York:

"Important new evidence ROSENBERG Case"

"Dear Sir:

"I cannot bear to see the ROSENBERGS punished for the work of what I know is a ring, of which I was part. I will herein name some of the guilty parties so that you will know the truth

"of what I write. Then I will talk to the authorities through Professor SIDNEY HOOD, of N. Y. University, if I am assured, in newspaper public notice advertisement that I will have immunity. Refer to me in the advertisement as "Greco". The evidence which you can easily check - From 1941 to 1945, a spy transmission ring existed for sending plans and Models to Russia via ships of the National Maritime union. Some of the "cadres" were - RICHARD PASK and father, Radio broadcaster and automotive engineer from the midwest. JOSEPH CURRAN, Pres of the National Maritime union, elected by communists. EDWIN S. CHELWITZ, physicist, Graduate of Midwestern College, who lived in Russia, come back to head an Auto-Workers union and "sold out" as a camouflage to EMICK JOHNSTON, in order to conceal his communist background and spy activities.

"These are but a few of the names I shall give you, if you follow instructions. Remember - public notice was to "Greco". Designate a meeting place - no phony. I prefer to talk to Prof. SIDNEY HOOD alone. First. He is the only one I trust. I can't bear to see hundreds of cowards keeping still while two people are made scapegoats to satisfy the law. Spys have ethics too, as you can see.

"Greco"

Reference is made to the report of SA HOWARD FLETCHER JR. made at Washington, D. C. on February 6, 1955, in the case entitled "NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE". Page 38 of this report contained a list of names furnished by Mr. CHARLES KIDWELL, Chief Clerk of Potomac Park Motor Court, of individuals who stayed in the motor court and were associated with the Rosenberg Committee during the picketing of the White House in the early part of January, 1950. This list included the name of ROSEMARIE GRECO. Mr. KIDWELL was recontacted and a photostatic copy of the back of the registration card containing the signature of ROSEMARIE GRECO was secured and is being forwarded to New York. This registration card reflected that the following persons shared a cottage at the Motor Court with ROSEMARIE GRECO: JAMES SCHMIDT and WILLIAM D. SCHUSTACK, 25 Cummings Street, New York City; MARSHA SMITTF, New York City; and ANN FISHER, New York City.

The Washington Field Office is not aware of whether the "Greco" postal card is handwritten or typewritten or whether the signature "Greco" is typed or handwritten. Therefore, a photostatic copy of this signature of ROSEMARIE GRECO is being forwarded to New York. If there is handwriting on the "Greco" card which could be compared with the signature of ROSEMARIE

WFO 65-5521

~~CONFIDENTIAL~~

GRECO on the registration card, it is suggested that New York secure photo-static copy of the "Greco" card and forward the material to FBI Laboratory for comparison. It is suggested that if no handwriting comparison can be made that an effort be made by New York to identify ROSEMARIE GRECO, ascertaining her background and specifically any ties that she or her family might have with Toledo or Cleveland, Ohio, in order that Mr. CHEYFIZ could be re-interviewed as to her possibly knowing the fact that he was acquainted with JOSEPH CURRAN and RICHARD PACK. -RUC-

~~CONFIDENTIAL~~

Office Memorandum • UNITED STATES GOVERNMENT

TO : D. M. Ladd

DATE: July 27, 1953

FROM : A. H. Belmont

89595

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R

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

Attached is a summary which has been prepared in the Rosenberg case at the suggestion of Mr. Nichols which sets forth the origin of the case, evidence presented at the trial and evidence and information developed which were not presented at the trial. Ramifications of this case are also reported herein. This summary further reports the various other actions of the defendants in this case and the activities of Communist fronts to save the Rosenbergs.

ACTION:

This summary is for informational purposes. A copy is being made available to Mr. Nichols.

ADDENDUM: 8/4/53 LBN:MP

The attached summary is exceedingly well done. I think Supervisor Anthony P. Litrento should be commended for the job.

L. B. Nichols

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 10-23-86 BY SP-1/MLJ/cks

Attachment
 65-58236
 APL:blb
 cc - 1 - Mr. Nichols

RECORDED-29

65-58236-20595

OCT 12 1953

OCT 18 1953

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Done
9-3-53
John

WASAT

July 27, 1953

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SUMMARY OF ROSENBERGS' ESPIONAGE CONSPIRACY

10-23-86
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DECLASSIFY ON: OADR

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Exempt from GDS, Category 1
Date of declassification Indefinite

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Date of Declassification Indefinite

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I. Synopsis and Origin of Case and Background of Subjects

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SUMMARY OF ROSENBERGS' ESPIONAGE CONSPIRACY

PART I

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A. SYNOPSIS OF FACTS:


Espionage admissions of Harry Gold in 1950 resulted in the identification of David Greenglass, former U. S. Army enlisted man stationed at Los Alamos, New Mexico, as a Soviet espionage agent. Greenglass was interrogated on June 15, 1950, and he implicated Julius and Ethel Rosenberg, his brother-in-law and sister respectively. Interrogation of Max Elitcher, former employee of Bureau of Naval Ordnance, led to the identification of Morton Sobell, radar engineer and former classmate of Julius Rosenberg and Elitcher at CCNY, as another member of the Rosenberg espionage conspiracy. Julius Rosenberg was arrested by the FBI on July 17, 1950. His wife, Ethel, was arrested by the FBI on August 11, 1950. Sobell was located in Mexico City on August 16, 1950, through Bureau investigation where he had fled shortly after Greenglass' arrest on June 16, 1950. Sobell was taken into custody by Bureau agents on August 18, 1950, at Laredo, Texas, after having been deported from Mexico by the Mexican Federal Security Police. On August 16, 1950, Julius and Ethel Rosenberg and Anatoli Yakovlev, former Soviet Vice Consul in New York and an espionage superior of Harry Gold, were indicted by a Federal Grand Jury, SDNY, charged with espionage conspiracy. Yakovlev had previously returned to the Soviet Union in December, 1946. On October 10, 1950, a second indictment was returned adding David Greenglass and Morton Sobell as defendants. On January 31, 1951, a superseding indictment was returned alleging twelve overt acts. On February 2, 1951, Julius and Ethel Rosenberg and Morton Sobell entered pleas of not guilty and David Greenglass entered a plea of guilty. A trial under the indictment of January 31, 1951, commenced on March 6, 1951, before U. S. District Judge Irving R. Kaufman. David Greenglass testified as a prosecution witness and disclosed details of conspiratorial efforts to transmit atomic energy data to the Soviet Union. He testified that shortly after Gold's arrest, Julius Rosenberg gave Greenglass \$5000 and detailed instructions to flee to Mexico and thence to Czechoslovakia. This testimony was generally corroborated by his wife, Ruth Greenglass. Harry Gold testified to receiving espionage information from David Greenglass in June, 1945, at Albuquerque, New Mexico, and which was turned over by Gold to Anatoli Yakovlev. Elizabeth Bentley, an admitted

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former Soviet agent, testified to learning from Jacob Golos, her Soviet espionage principal, that Golos was receiving information from an engineer named "Julius" who lived in Knickerbocker Village, New York City. Max Elitcher testified to several attempts made by Julius Rosenberg to recruit him for espionage and learning from Julius Rosenberg that Morton Sobell was involved in Soviet espionage. The Government presented twenty-two witnesses. Other Government witnesses corroborated various points of Greenglass' testimony and proof of Sobell's flight to Mexico. Both Rosenbergs testified and denied espionage activity. Sobell did not testify. On March 29, 1951, the jury found the Rosenbergs and Morton Sobell guilty. On April 5, 1951, Judge Kaufman imposed death sentences on Julius and Ethel Rosenberg and a thirty-year sentence on Morton Sobell. On April 6, 1951, Judge Kaufman imposed a fifteen-year sentence on David Greenglass. The defendants made numerous unsuccessful appeals on various grounds to the United States Court of Appeals and the United States Supreme Court. The Rosenbergs also appealed to President Eisenhower for executive clemency which was denied. The Rosenbergs were executed at Sing Sing Prison June 19, 1953. Sobell is serving his sentence at Alcatraz, U. S. Penitentiary, and Greenglass is serving his sentence at U. S. Penitentiary, Lewisburg, Pennsylvania.

Information from 

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Sarant fled the United States shortly after the arrest of Julius Rosenberg. William Perl was indicted on four counts of perjury in SDNY on March 13, 1951, for false statements made by him concerning his association with Julius Rosenberg and others. On May 22, 1953, Perl was found guilty by a jury on two counts. On June 5, 1953, he was sentenced by Federal Judge Sylvester Ryan to five years on each count to run concurrently.

Extensive investigation of Rosenberg espionage conspiracy reflects the following persons also possibly involved in this network:

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Vivian Glassman Pataki, a friend of the Rosenbergs, paid a visit to William Perl at his residence in Cleveland, Ohio, on July 23, 1950, several days after the arrest of Julius Rosenberg and wrote instructions to avoid talking advising Perl she had a sum of money for him and instructions for leaving the United States. Perl fearing a trap by the Government refused to comply with the instructions.

Joel Barr, an electrical engineer and former classmate of Rosenberg at CCNY, was identified as a Soviet espionage agent by Julius Rosenberg to David Greenglass at the time Rosenberg was attempting to persuade Greenglass to flee the United States. Rosenberg told Greenglass that more important persons than Greenglass had left the country and mentioned that Barr left the United States before Klaus Fuchs was arrested and was then working for the Soviets in Europe. Barr is known to have left the United States on January 21, 1948, for Paris, France. He disappeared from his residence in Paris on June 16, 1950, the day Greenglass was placed under arrest. His present whereabouts is not known.

Anne Sidorovich, wife of Michael Sidorovich, mentioned above, was introduced to David and Ruth Greenglass by Julius Rosenberg at the Rosenberg apartment in January, 1945. After Anne left the apartment, Rosenberg told the Greenglasses that Anne or someone else would contact them in Denver or Albuquerque to secure the atomic energy data Greenglass was to develop for the Russians. Actually, Harry Gold made the contact with the Greenglasses in Albuquerque. Both Sidoroviches have been interrogated and denied engaging in espionage activities.

Maxwell Finestone is reportedly the last person recruited by Julius Rosenberg for his espionage network, according to an informant of unknown reliability, Jerome Tartakow. This informant advised that Finestone drove Julius Rosenberg to Ithaca, New York, on one occasion to pick up espionage material from Alfred Sarant; further, that Finestone assisted Rosenberg in photographing secret materials which William Perl secured from Columbia University. Finestone has refused to answer questions before a Federal Grand Jury.

B. ORIGIN OF CASE:

On the basis of information received from [REDACTED]

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The latter was subsequently identified through extensive Bureau investigation as Harry Gold, a Philadelphia chemist. On May 22, 1950, Gold confessed his espionage activity to the FBI.

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Investigation of Harry Gold's admissions led to the identification of David Greenglass, a United States Army enlisted man who had been assigned at Los Alamos, New Mexico, in 1944 and 1945, as a Soviet agent. Gold related he had picked up espionage material from Greenglass during June, 1945, on instructions of "John", his Soviet principal. "John" was subsequently identified as Anatoli Yakovlev, former Soviet vice consul in NYC, who departed the U.S. in December, 1946. Interrogation of Greenglass and his wife, Ruth, resulted in admissions of espionage activity on their part, which had been carried on at the instigation and under the instructions of Julius and Ethel Rosenberg, brother-in-law and sister respectively of David Greenglass.

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Interviews of Elitcher, an admitted Communist, resulted in a disclosure that Morton Sobell, radar engineer and former classmate of Elitcher and Rosenberg at CCNY was also involved in the Rosenberg espionage network.

C. BACKGROUND OF PRINCIPAL SUBJECTS

1. Julius and Ethel Rosenberg

Julius Rosenberg was born May 12, 1918, at New York City. He was the son of Harry and Sophie Rosenberg, Jewish immigrants, both of whom were born in Russia. He had one brother and three sisters.

Ethel Rosenberg nee Greenglass was born September 28, 1915, New York City, the daughter of Barnett and Tessie Greenglass, also Jewish immigrants. Her father was born in Russia and

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her mother was born in Austria. Other members of her family included David and Bernard Greenglass, her brothers, and Samuel Greenglass, a half brother. ~~TOP SECRET~~

Ethel and Julius Rosenberg were married June 18, 1939, in New York City. They are survived by two sons, Michael Allen, born March 10, 1943, and Robert Harry, born May 14, 1947.

Julius and Ethel Rosenberg lived in the lower east side of Manhattan most of their lives. They attended Seward Park High School, Ethel graduating in 1931 and Julius graduating in 1934. Julius Rosenberg attended the School of Engineering of the College of the City of New York from September, 1934, until February, 1939, when he graduated with a Bachelor degree in Electrical Engineering. He also took various courses at Brooklyn Polytechnic Institute and New York University School of Engineering during 1941. In September, 1940, Julius Rosenberg secured employment as a junior engineer (radio) with the War Department Signal Supply Office, New York General Depot, Brooklyn, New York. He was transferred in October, 1941, to the Signal Corps, Philadelphia, Pennsylvania. In October, 1942, he was transferred to the Newark Signal Corps, Inspection Zone, Newark, New Jersey. In February, 1943, he was promoted to the position of Associate Engineer, Inspection. He was suspended from his position on February 10, 1945, pending decision by the Secretary of War on recommendations made by his commanding officer for removal on the basis of information indicating his Communist Party membership. Rosenberg's employment with the Government was terminated March 26, 1945. On February 26, 1945, he had obtained employment as an Assistant Engineer with the Emerson Radio and Phonograph Corporation, 111 Eighth Avenue, New York City. This employment was terminated on December 7, 1945. From that date until his apprehension Rosenberg was in various businesses. At the time of his apprehension he was operating the Pitt Machine Products Corporation, 370 East Houston St., New York City, a general machine shop manufacturing all types of parts for various manufacturing concerns.

Ethel Rosenberg was employed by the National New York Packing and Shipping Company, 327 West 36th Street, New York City, from February, 1932, to October, 1935. She was also employed at the Bell Textile company, 353 Broadway, New York City, from August, 1938, to June, 1940. In June, 1940, she was appointed as a temporary clerk with the Census Bureau, Department of Commerce, Washington, D.C. On October 1, 1940, this employment was terminated.

SUBVERSIVE ACTIVITIES AND ASSOCIATIONS

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Samuel Greenglass reported that it was about 1932 when Julius Rosenberg started associating with his half sister, Ethel. Julius was disliked by Ethel's parents and was not allowed to visit the parents home at 64 Sheriff Street, New York City, from about 1932 until 1935. During that period Ethel and her two younger brothers, Bernard and David, occupied an apartment on a floor above the home of their parents because the parents did not have adequate room. Julius Rosenberg would visit Ethel frequently at this upstairs apartment without the parents' knowledge. Samuel Greenglass visited this apartment on numerous occasions and found it littered with copies of the "Daily Worker" and Communist Party literature. According to him, Julius and Ethel became violent Communists between 1932 and 1935 and after that maintained that nothing was more important than the Communist cause. He became so concerned over this that he offered to pay the transportation of Julius and Ethel to Russia. They declined, stating they desired to remain in the United States. Samuel Greenglass further advised that Julius and Ethel were very insulting toward anyone who disagreed with their views and for that reason he discontinued having any contact with them in about 1942. (65-58236-493)

Information obtained from a highly confidential source on March 15, 1944, reflected that Julius Rosenberg was a member of the Communist Party and transferred from branch 16B of the Industrial Division of the Communist Party to the East Side group of the First Assembly District under Transfer No. 12179. This information was furnished to the Security and Intelligence Division, Second Service Command, Governors Island, New York, in view of Rosenberg's employment by the War Department at that time. An investigation was conducted by that Agency which reflected that Rosenberg, while a student at the College of the City of New York, signed a petition urging the granting of a charter to a chapter of the American Students Union to be established at that college. This investigation also established that Rosenberg was a member of the Federation of Architects, Engineers, Chemists and Technicians (FAECT) a Communist dominated union and that his wife, Ethel, had signed a Communist Party petition. Rosenberg denied the allegations against him; however, he was removed from his position as set forth hereinbefore.

A search of the Rosenberg apartment at the time of the arrest of Julius Rosenberg disclosed that Ethel and Julius Rosenberg were members of the International Workers Order.

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Concerning Ethel Rosenberg, an anonymous telephone call was received by our New York Office on May 25, 1940. This caller advised she was a distant relative of Ethel Rosenberg and stated that Ethel was extremely Communistic and had received an appointment to go to Washington, D.C., as an employee of the Census Bureau. The United States Civil Service Commission advised the Bureau by letter of August 9, 1941, of the receipt of information that Mrs. Ethel Rosenberg and another woman were alleged to have been Communist sympathizers and that Mrs. Rosenberg and this woman had distributed Communist literature and signed nominating petitions of the Communist Party. This source also advised that Ethel Rosenberg had signed a Communist Party nominating petition dated August 13, 1939, in New York City. (65-58236-75, page 28)

According to information received from Jerome Tartakow, a source of unknown reliability, Julius Rosenberg claims to have joined the Young Communist League when he was fourteen years of age and that while at the College of the City of New York he was secretary of the Young Communist League. Rosenberg advised this informant that he met his wife Ethel at a rally of the National Maritime Union in 1936. Ethel was an entertainer at the rally. Prior to their marriage they lived together as man and wife at a building known as the Karl Marx House near the campus of CCNY. Rosenberg also told this informant that while Ethel was employed by the New York National Shipping and Packing Company, she became involved in a strike at the company and chained herself to a radiator in the building during the strike. Rosenberg further told this informant that he had been arrested during a demonstration concerning the German ship, S.S. Bremen in New York City in the Summer of 1933 or 1936, and had spent a few days in the Old Tombs Prison. He further related that during demonstrations he would carry a long needle with him and would stick police horses in the flank to make them bolt. Rosenberg also told this informant that he had plenty of money but that only he or his wife, Ethel, had access to it and that the only reason he did not flee before his arrest was to "take care of some friends." Rosenberg was aware that he was liable to the death sentence and advised the informant that as far as he was concerned, "He played the game and lost, and would have to take the results." (65-58236-639)

Ruth Greenglass has advised that it was an accepted fact by all members of the Rosenberg and Greenglass families that Ethel and Julius Rosenberg were Communist Party members. (65-58236-503)

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2. DAVID GREENGLASS

David Greenglass, younger brother of Ethel Rosenberg, was born March 3, 1922, in New York City. He attended Public School #4 and Haaron High School in New York, graduating from the latter in 1940. He also attended Brooklyn Polytechnic Institute for a short period in 1940, studying mechanical engineering. He attended the Pratt Institute of Science for a short period in 1948, studying mechanical designing. During his early life, he worked in his father's shop. He was employed by Freeman Brothers, New York City, from June, 1940, to October, 1941. He was also employed by Peerless Laboratories in New York City from October, 1941, to March, 1943. He was inducted in to the United States Army on April 5, 1943, and entered active duty at Fort Dix, New Jersey, on April 12, 1943. He was thereafter transferred to Army Service Forces Training Command, Mississippi Ordnance Plant, Flora, Mississippi. During July, 1944, he was transferred to the First Provisional Special Engineer Detachment Unit, Manhattan Engineer District, Oak Ridge, Tennessee, arriving there July 27, 1944. He departed from Oak Ridge on August 2, 1944, and joined the Second Provisional Engineer Detachment Unit at Santa Fe, New Mexico, on August 5, 1944. On February 28, 1946, he was transferred to Fort Bliss, Texas, and discharged from the Army on February 29, 1946. In 1947, Greenglass went into business with Julius Rosenberg and others. They formed a company known as the Pitt Machine Products Company, Incorporated. In August, 1949, Greenglass left the company because of poor financial conditions there. He thereafter became employed as a machinist by the Arma Corporation, Brooklyn, New York, which employment was ceased when he was arrested by the FBI in June, 1950.

David Greenglass married Ruth Printz on November 29, 1942. His wife was born April 30, 1924, at New York City, and lived all her life in the same neighborhood in which Greenglass was raised. They have two children, Stephen, born August 8, 1946, and Barbara, born May 16, 1950.

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Subversive Activities and Affiliations

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Samuel Greenglass, half-brother of David Greenglass, has advised that David came under the influence of his sister, Ethel, when he was about 12 years of age. At the time, Ethel was 19 years old and was being courted by Julius Rosenberg. He related that at first David opposed the efforts of Ethel and Julius to convert him to Communism and disliked Julius, but after Julius bought David a chemistry set, the two became very friendly and Julius was able to influence David considerably. Samuel Greenglass further advised that Julius Rosenberg continued to be a frequent visitor at the apartment occupied by David and Ethel until Julius married Ethel in 1939. During that time, David became extremely fond of Julius and was fully converted to Communist ideals expounded by Ethel and Julius. As a result, David joined the Young Communist League at the age of 14. (65-58236-493)

Ruth Greenglass, wife of David Greenglass, advised that her husband looked up to Julius with a certain degree of hero worship and that Julius influenced David to think along Communist lines by bringing Communist Party literature to David when the latter was 13 or 14 years old. (65-58236-503)

David Greenglass has stated that he was indoctrinated with Communist principles in his youth by Julius and Ethel Rosenberg and was a member of the Young Communist League in New York from 1936 to 1938. He continued his belief in Communism, but never joined the Communist Party. He claims to have become disillusioned with Communism when Tito of Yugoslavia was expelled from the Cominform. This incident, he claims, brought home to him that Communism was being used as a tool by the USSR for the purpose of world conquest instead of working toward a panacea.

Soon after her marriage to David Greenglass, Ruth Greenglass claims to have been converted to the principles of Communism by her husband. She was a member of a branch of the Young Communist League for about a year in 1943 and was president of the branch for about three weeks. She states she became disillusioned with Communism following World War II when it became apparent that the USSR had embarked on a program of world conquest. (65-58236-646 pages 27 and 42 and serial 837)

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Miscellaneous

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It is interesting to note that in checking the Army service record of David Greenglass, it was determined that the assignment of Greenglass to atomic energy work occurred under the following circumstances: On July 6, 1944, orders were sent to the Mississippi Ordnance Plant, where Greenglass was assigned, to transfer six soldiers, all named, to Oak Ridge, Tennessee, for assignment to the Manhattan Engineer District. Greenglass was not one of the soldiers named. By letter dated July 14, 1944, the Mississippi Ordnance Plant reported that one of the six men so named was AWOL and asked permission to substitute Greenglass for the AWOL soldier. Permission was granted and by special order dated July 24, 1944, Greenglass was transferred to Oak Ridge.
(65-59028-serial 304)

But for the above incident, it is possible that Greenglass would not have been assigned to work involving research to produce an atomic bomb and would not have been a subject for espionage recruitment by Julius Rosenberg. It is further possible that the involvement of Julius Rosenberg in espionage might not have been detected.

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3. MORTON SOBELL

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Morton Sobell was born April 11, 1917, in New York City, the son of Russian-born immigrants. He married Helen Levitov Gurewitz at Arlington, Virginia, on March 10, 1945. His wife was previously married to Clarence Darrow Gurewitz, a known Communist in Washington, D. C. At the time of her divorce from Gurewitz on March 5, 1945, she was awarded custody of their daughter, Sydney Gurewitz, then six years of age. The Sobells have a second child, Mark Sobell, age 3.

Sobell attended Stuyvesant High School from February, 1931, to January, 1934. He thereafter entered the College of the City of New York where he was a classmate of Julius Rosenberg and Max Elitcher who will be mentioned hereinafter. Sobell graduated from the College of the City of New York in June, 1938, with a bachelor degree in electrical engineering. Subsequently he attended the University of Michigan Graduate School in 1941 and 1942, from which institution he received a master's degree in electrical engineering.

Sobell was employed during the Summers of 1934 through 1938 as a maintenance man at Camp Unity, Wingdale, New York, reportedly a Communist-controlled camp. On January 27, 1939, he secured the position of junior electrical engineer with the Bureau of Naval Ordnance, Washington, D. C. He was promoted to the position of assistant electrical engineer. He resigned from this position in October, 1940, to further his studies at the University of Michigan. After obtaining his master's degree, he secured employment on June 15, 1942, as a test engineer with the General Electric Company, Schenectady, New York. In the early stages of his employment with this company, he worked as an engineer in the Marine and Aeronautics Division. At the time of his resignation from this position on June 13, 1947, he was assigned to meteorological radar work in the Electrical Control Section. He had access to classified material, including that on fire control radar. After resigning from this company, he secured employment as an electrical engineer with the Reeves Instrument Company, New York City, where he had access to secret data. He remained in this position until June 16, 1950,

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when he failed to appear for work. It is noted ~~TOP SECRET~~ was the date David Greenglass was arrested by the FBI. On June 22, 1950, Sobell and his family fled to Mexico. He was thereafter located in Mexico City and on August 18, 1950, was taken into custody by Bureau agents at Laredo, Texas, after his deportation from Mexico by the Mexican authorities.

Subversive Activities and Affiliations

Max Elitcher, an admitted Communist, advised that during the period he roomed with Morton Sobell in Washington, D. C., he was induced by Sobell to join the Communist Party. He stated that this occurred in 1939 and that Sobell had informed him that he, himself, was a member of the Communist Party.

Information obtained from ONI, 3rd Naval District, reflected that during this same period Sobell was reported to have been active in the American Peace Mobilization and the American Youth Congress, both of which organizations have been cited by the Attorney General as coming within the purview of Executive Order 10450. This same source also advised that Sobell signed a Communist Party petition for Isidore Begun, Communist Party candidate, on August 8, 1939.

From a highly confidential source of WFO it was ascertained that Sobell appeared on the active indices of the American Peace Mobilization and was listed on the indices of the American Youth Congress as a delegate to that body from the Washington Committee for Democratic Action.

A Mrs. Lena Montague, resident manager of an apartment building located at 225 N Street, N. W., Washington, D. C., reported that Sobell and Max Elitcher were

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among the tenants of the building who attended meetings in the apartment of Mrs. Anna Goodman Allen during 1940 and 1941. She was of the opinion that these were Communist meetings.

The New York Office located a Communist Party nominating petition which was filed in the name of one Morton Sobell, 646 St. Ann's Avenue, Bronx, New York. The signature of this petition was identified by the FBI laboratory as being in the handwriting of Morton Sobell.

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Flight of Morton Sobell to Mexico:

A check at the Reeves Instrument Company reflected that Sobell failed to report for work after June 16, 1950. The company received a letter from Sobell on or about July 9, 1950, wherein Sobell advised that he needed a rest and was going to take a few weeks off to recuperate.

A neighborhood investigation developed that Sobell, his wife and their two children were last seen at their home on June 22, 1950, and that they had left hurriedly without advising anyone of their intended departure.

It was ascertained through the Corn Exchange Bank and Trust Company, York Avenue Branch, New York City, where Sobell maintained a bank account, that on June 21, 1950, he had withdrawn \$700 leaving a balance of only \$10.56.

Through American Airlines, La Guardia Field, it was determined that Sobell, his wife, Helen, his stepdaughter, Sydney, and his son, Mark, had departed for Mexico City on flight No. 157, leaving La Guardia Field at 9:45 p.m., Eastern Standard Time on June 22, 1950. It was further determined that round-trip excursion tickets for transportation from New York City to Mexico and return were purchased on June 21, 1950, in the name of Morton Sobell. It was later learned through American Airlines in Mexico City that the round-trip portions of these tickets were cashed in on July 22, 1950.

Through the Mexican Consulate in New York City it was learned that on June 22, 1950, Mexican tourist cards were issued in the name of Morton Sobell and his wife, Helen.

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[REDACTED] On August 16, 1950, information was developed that an individual believed to be Sobell was residing in an apartment building at Cordova, Number 153, Mexico City. Based on this information, four officers of the Mexican Police went to the apartment where they found Sobell and his family. Sobell was advised that he would have to accompany them to police headquarters. Sobell refused to identify himself or go with the police and also advised his wife not to comply with their request. It was necessary for the police officers to forcibly take Sobell and his wife into custody. Sobell put up a fight, struck two police officers in the face with his fists and was thereupon subdued by a blow on the top of the head with a revolver butt. Helen Sobell also

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resisted and bit one of the Mexican officers on the thumb at the time they were taking her from the apartment.

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A search of the Sobell apartment by the Mexican Police was made and letters and other papers located in the apartment were turned over to representatives of the FBI at Laredo, Texas.

There was found in the possession of Sobell a number of steamship schedules for boats leaving Mexico for South America and Europe. There was located in Sobell's apartment a Leica camera with a lens of normal focal length, a 127 mm. lens with attachment for this Leica camera, an 8 mm. Bolex movie camera, a light meter and also film for these cameras. On the early morning of August 17, 1950, the Mexican Police started the trip to the United States border with the Sobell's for the purpose of carrying out a deportation order. During the trip Sobell attempted to bribe one of the police officers by offering him the sum of \$5,000 if he would return Sobell to Mexico City. Sobell indicated to the officer that, although he only had a thousand dollars on his person at the time, he could secure the balance of the \$5,000 within a period of two days after he was returned to Mexico City. On the early morning of August 18, 1950, the Mexican Police turned over Morton Sobell to FBI agents at the International Bridge, Laredo, Texas.

Further investigation of Sobell's flight to Mexico reflected that Sobell had communicated through the mails with relatives through the utilization of one William Danziger of New York City as a mail drop. Danziger was interviewed and reluctantly admitted receiving letters from Sobell with instructions to forward these letters to Sobell's relatives. This admission was made by Danziger after he was advised that the FBI laboratory identified handwriting on the envelopes of these letters which were used in forwarding them to Sobell's relatives as being in Danziger's handwriting.

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D: Prosecutive Action:

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On June 16, 1950, the Criminal Division of the Department was advised of the admissions of David Greenglass and authorized the filing of a complaint in Albuquerque, New Mexico, charging Greenglass with espionage conspiracy to violate Section 34, Title 50, United States Code. On the same date, Greenglass was arraigned before a United States Commissioner, Edward W. McDonald, of the Southern District of New York and was remanded to the custody of the United States Marshall in default of \$100,000 bail.

On July 6, 1950, Greenglass was indicted by a Federal Grand Jury at Santa Fe, New Mexico, charging him with espionage conspiracy.

On July 17, 1950, the Criminal Division of the Department authorized the filing of a complaint charging Julius Rosenberg with espionage conspiracy. Rosenberg was arrested at his home, 10 Monroe Street, Knickerbocker Village, New York City, on the same date and arraigned that evening before United States District Judge John McGohey of the Southern District of New York. Rosenberg was represented by his attorney, Emanuel H. Bloch. Rosenberg was remanded to the custody of the United States Marshall in default of \$100,000 bail for further hearing.

On August 3, 1950, Irving Saypol, United States Attorney, Southern District of New York, authorized the filing of a sealed complaint against Morton Sobell, charging Sobell with espionage conspiracy.

On August 7, 1950, Ethel Rosenberg appeared before a Federal Grand Jury in the Southern District of New York pursuant to a subpoena. Mr. Saypol advised confidentially that she was uncooperative.

On August 11, 1950, Mr. Saypol authorized the filing of a complaint against Ethel Rosenberg, charging her with espionage conspiracy. Ethel Rosenberg was taken into custody on the same date by Bureau agents. Later, on the afternoon of August 11, 1950, she was arraigned before United States Commissioner McDonald of the Southern District of New York and remanded to the custody of the United States Marshall in default of \$100,000 bail for further hearing.

On August 17, 1950, a Federal Grand Jury in the Southern District of New York returned an indictment charging Julius

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Rosenberg, Ethel Rosenberg and Anatoli Yakovlev with violation of Section 34, Title 50, United States Code. This indictment alleged eleven overt acts.

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On August 18, 1950, Morton Sobell was taken into custody by Bureau agents in Laredo, Texas, after his deportation by Mexican authorities. He was arraigned on the same date before United States Commissioner Frank Y. Hill of the Southern District of Texas. He waived removal to New York and was remanded to the custody of the United States Marshall in default of \$100,000 bail. He was thereafter returned to New York by the United States Marshall on August 23, 1950.

On August 23, 1950, Julius and Ethel Rosenberg were arraigned before United States District Judge T. Hoyt Davis of the Southern District of New York. They were represented by their counsel, Emanuel H. Bloch and a plea of not guilty was entered by both. Bail in the amount of \$100,000 was continued for the Rosenbergs.

On August 24, 1950, Morton Sobell was arraigned before United States Commissioner McDonald in the Southern District of New York and his hearing was adjourned. Bail of \$100,000 was continued.

On September 18, 1950, Sobell again appeared before the United States Commissioner for a hearing which was adjourned in order that the Government could complete presenting its case to a Federal Grand Jury.

On October 10, 1950, a superseding indictment was returned by a Federal Grand Jury in the Southern District of New York charging Morton Sobell, Ethel Rosenberg, Julius Rosenberg, David Greenglass and Anatoli Yakovlev with conspiracy to violate the Espionage Statutes.

On October 17, 1950, Julius and Ethel Rosenberg pled not guilty to the indictment of October 10, 1950, before United States District Judge William Bondy of the Southern District of New York. Bail of \$100,000 was continued for Julius Rosenberg and bail of Ethel Rosenberg was reduced to \$50,000 by Judge Bondy. The Rosenberg's were remanded to the custody of the United States Marshall in default of bail.

On October 18, 1950, David Greenglass pled guilty to the superseding indictment of October 10, 1950. The plea of Greenglass was accepted by Judge Bondy and bail of \$100,000 was continued pending his sentencing.

On December 5, 1950, Morton Sobell pled not guilty to the superseding indictment of October 10, 1950. His plea was accepted by United States District Judge Sylvester Ryan of the Southern District of New York and Sobell's bail was continued in the sum of \$100,000. ~~TOP SECRET~~

On January 31, 1951, a Federal Grand Jury in the Southern District of New York handed down a second superseding indictment charging Julius Rosenberg, Ethel Rosenberg, Anatoli Yakovlev, Morton Sobell, and David Greenglass with conspiracy to commit espionage between June 6, 1944, and June 16, 1950. This indictment was similar in all respects to the previous superseding indictment with the exception that it changed the beginning of the conspiracy from November, 1944, to June, 1944.

This indictment was returned under Section 34, Title 50, of the United States Code. The Grand Jury charged as follows:

"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 divers other persons presently to the Grand Jury unknown, to violate subsection (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.

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"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 5, 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 5, 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.

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"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)

On February 2, 1951, Julius and Ethel Rosenberg and Morton Sobell entered pleas of not guilty before United States District Judge Henry W. Goddard of the Southern District of New York. David Greenglass entered a plea of guilty to the above indictment and withdrew his plea of guilty to the previous superseding indictment. Judge Goddard directed that the sentencing of Greenglass be postponed until the termination of the trial.

On February 5, 1951, Morton Sobell made an application to United States District Judge Vincent Leibel of the Southern District of New York, for a Writ of Habeas Corpus based on the allegation that the indictment of January 31, 1951, was vague and that the incrimination of Sobell was a violation of his constitutional rights. Judge Leibel denied the application on the grounds that it was improper.

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II. Rosenberg - Sobell Trial

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PART II

A: THE ROSENBERG-SOBELL ESPIONAGE CONSPIRACY TRIAL ~~TOP SECRET~~

On March 6, 1951, the trial of this case on the superseding indictment of January 31, 1951, commenced before U. S. District Judge Irving R. Kaufman in the Southern District of New York. At the outset of the case United States Attorney Irving H. Saypol moved to sever Anatoli A. Yakovlev from the trial, which motion was granted. The selection of a jury of twelve with two alternates was completed on March 7, 1951. Counsel for the defendants made motions to dismiss the indictment on various grounds which were denied by the Court. Mr. Saypol then made a motion to sever David Greenglass from the indictment because Greenglass had already pleaded guilty. This motion was granted by the Court.

Mr. Saypol opened the Government's case and addressed the jury. He informed the jury that it was their duty to protect the rights of each individual and of all people by proceeding diligently against those who operated against the Government. He pointed out that the Grand Jury had charged the defendants with conspiracy to commit espionage on behalf of a foreign power, and that this charge was one of unusual significance. He defined "conspiracy" and stated it required proof of only one overt act of any one of the conspirators. He stated that the evidence in this case would come from some witnesses who participated with the defendants and from some who were picked by the defendants to be their associates and partners in crime. He stated he intended to prove that the loyalty of the defendants was not to the United States but to Communism in this country and throughout the world. At this point Bloch objected to the mention of Communism, stating that Communism was not the offense charged in the indictment. Judge Kaufman ruled that he would consider the introduction of matters relating to Communism during the trial as a motive for the unlawful acts charged at such times as it became necessary for him to do so in the trial. Saypol thereafter continued and stated that loyalty to Communism arose from the defendants' devotion to Russia. He stated that they delivered to Russia information and weapons which Russia could use to destroy us. He stated that Julius Rosenberg and Morton Sobell were classmates at college where both had a love of Communism and Russia which led them into a Soviet espionage ring. He related that Rosenberg sought out this ring and then devoted himself to the service of Russia at the expense of disloyalty to the United States. He revealed that Rosenberg reached into the U. S. Army and Navy and National Defense plants to get information for Russia, and that all of the defendants were ever on the lookout to recruit others for Soviet Russia. He

stated that they persuaded David Greenglass to reveal secrets while in the Army at Los Alamos, and that at the request of the Rosenbergs, Greenglass stole and turned over to Harry Gold sketches and information concerning the atom bomb. Mr. Saypol pointed out that the vigilant FBI broke through the shroud of darkness and collected the evidence to bring the defendants to the bar of justice. He went on to relate that after the arrests of Klaus Fuchs, Harry Gold, and David Greenglass, the Soviet agents put into effect a plan for others to flee the United States. He stated that Sobell actually succeeded in leaving the United States.

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The defense attorneys made a motion for a mistrial, claiming that the statements of Saypol were inflammatory and introduced Communism which was not relevant to this case. The Court denied this motion.

Emanuel Bloch in his statement to the jury pointed out that Julius Rosenberg had asserted his innocence. He requested the jury to render a true verdict and not to be influenced by hysteria or violence. He claimed that the trial arose in a rather tense, international atmosphere and requested the jurors to keep their minds open. He suggested that the jury examine the truthfulness of the witnesses, in particular the testimony of the Greenglasses and Harry Gold. He pointed out that the Greenglasses were related to the Rosenbergs and asked the jury not to be swayed by emotion, sympathy, or passion. Alexander Bloch, attorney for Ethel Rosenberg, in his opening statement, requested the jurors not to condemn her merely because David Greenglass was a confessed conspirator. He stated she had protested her innocence from the beginning and that she was dragged into the case by the machinations of the Greenglasses, who wished to lighten their burdens.

Harold Phillips, attorney for Sobell, in his address to the jury, stated that Saypol had made "the thing look blacker than it is." Phillips stated he was not trying to minimize the offense but just did not want to "maximize it." He stated that the talk of Communism as a motive in this case was absurd because Harry Gold, a main Government witness, never was a Communist. He asked the jury not to let religious beliefs or other beliefs sway them. (65-58236-826)

A total of twenty-two witnesses were presented by the Government. The testimony of some of the main witnesses is being summarized hereinafter.

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1. DAVID GREENGLASS

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A brief summary of the testimony of David Greenglass is as follows: Greenglass entered the United States Army in April, 1943, and was assigned to the Ordnance School, Aberdeen, Maryland, in July, 1943. In July, 1944, he was assigned to the Manhattan Project, Oak Ridge, Tennessee. He did not know at that time what the project was. He received security lectures about his duties and was told it was a secret project. Two weeks later he was assigned to Los Alamos, New Mexico, and reported there in August, 1944. He was again told that his work was secret.

In November, 1944, his wife, Ruth Greenglass, came to Albuquerque to visit him. Ruth Greenglass told him that Julius Rosenberg advised her that her husband was working on the atom bomb. Greenglass stated he did not know that he was working on such a project. He stated that he worked in a group at Los Alamos under Dr. Kistiakowsky of Harvard University. He described to the Court the duties of his shop at Los Alamos. He received security instructions again, as well as a security regulation pamphlet marked "Restricted." This pamphlet was introduced into evidence. He stated that while at Los Alamos, he learned the identity of Dr. Oppenheimer, Neils Bohr, whose cover name was Baker, Dr. Urey and Dr. Koski. Greenglass stated he performed work as an apprentice preparing lens molds which were intended for Dr. Koski's experiments, and that he usually worked from sketches supplied by scientists.

Greenglass testified that his sister, Ethel, was married in 1939, and that he knew Julius Rosenberg before the marriage. He stated that Ethel and Julius used to speak to him about the merits of the Russian Government.

Greenglass stated that his wife, Ruth, came to visit him at Los Alamos on November 29, 1944. Ruth told David that Julius Rosenberg had invited her to dinner at the Rosenberg home, 10 Monroe Street, New York City. At this dinner Ethel told Ruth that she must have noticed that Ethel had not been engaging in Communist activities. Ethel also told Ruth that they were not buying the "Daily Worker" any more or attending club meetings because Julius finally was doing what he always wanted to do, namely giving information to the Soviet Union. Ethel told Ruth that David was working on the atom bomb project at Los Alamos, and they wanted him to give information concerning the bomb. Ruth told the Rosenbergs that she didn't think it was a good idea and declined to convey their requests to David. Ethel and Julius then told Ruth that she should at least tell David about it and see if he would help. In this conversation Julius pointed out to Ruth that Russia was an ally and deserved

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the information, and that Russia was not getting all the information that was due her. David at first refused to have anything to do with the request of the Rosenbergs but on the ~~TOP SECRET~~ day he agreed to furnish any available data. Ruth then asked David specific questions about the Manhattan Project, such as the general layout of it and the identity of the scientists working there. David supplied her that information. He identified Dr. Oppenheimer, Dr. Kistiakowsky, and Dr. Bohr to Ruth. He also gave her an estimate of the number of people in the technical area at Los Alamos.

In January, 1945, David arrived in New York City on furlough. About two days later Julius Rosenberg came to David's apartment and asked David for information, "Anything of value on the A Bomb." He requested David to write up the information and stated he would pick it up the following morning. He asked David what he was doing at Los Alamos, and David stated he was working on lens molds. At the time Rosenberg described to David what an atom bomb looked like. That evening Greenglass wrote up the information he had and prepared sketches of the lens mold with a description of how it was used in experiments. The next morning he gave this material to Rosenberg. (65-58236-Serial 837) He also gave to Rosenberg a list of the scientists at Los Alamos and the names of possible recruits working there who might be sympathetic to Communism and possibly furnish information to Russia. Rosenberg specifically requested a list of possible recruits. Greenglass had prepared copies of these sketches at the trial which were introduced into evidence over the objection of the defense. Greenglass further stated that at the time he turned this material over to Rosenberg, Ruth Greenglass remarked that David's handwriting was bad and would need interpretation. Rosenberg answered that it was nothing to worry about because Ethel, his wife, would retype the information. A day or two later David and his wife went to the Rosenberg apartment for dinner. When they arrived there, they were introduced to Anne Sidorovich who was already there. David had never met Anne Sidorovich before but had known her husband, Michael, for some years. In the early part of the evening all of them engaged in social conversation. Anne Sidorovich then left. After she left, Julius told the Greenglasses that Anne was a woman whom he thought would come to see David to receive information on the atom bomb. They discussed a tentative plan to the effect that Ruth Greenglass would move to Albuquerque, and Anne would come to see her. They also discussed a plan about Ruth and Anne meeting in a movie house in Denver, Colorado, where they would exchange purses. Ruth's purse would

have in it the information from David concerning Los Alamos. Rosenberg told David that he had Anne come to his home that evening to meet the Greenglasses in order that they would know one another. During this discussion the point was raised that some one else might come for the material, and there was a discussion as to how an identification might be effected. Julius, Ruth, and Ethel then went into the kitchen. David stayed in the living room. In about five minutes they came out of the kitchen. Ruth held in her hand a piece of the side of a jello box which was cut in a particular way. Julius held the other piece in his hand. It was agreed that Ruth would use the jello box side to identify the person who would come to see her. They then discarded the idea of having any meeting with a contact in Denver. David made the suggestion that the meeting be held in front of a Safeway Store in Albuquerque. The date of the meeting was left in abeyance depending upon the time that Ruth would depart for Albuquerque. Julius Rosenberg said that this was a good idea. David further testified that both Julius and Ethel Rosenberg told Ruth not to worry about money. During this visit Ruth mentioned to Ethel that Ethel looked tired. Ethel said she was tired, "between the child" and "typing up her notes" Julius had brought her "in this work." Ethel further stated she did not mind it so long as Julius was doing what he liked to do. Also, during this visit Julius said he would like to have David meet a Russian with whom he could discuss the lens David was working on. A few nights later an appointment was made by Julius for David to meet a Russian on First Avenue between 42nd and 59th Streets, New York City. David drove up to the appointed meeting place and parked the car near a saloon in a dark street. Julius came up to the car, looked in, and then went away. He came back with a man who got into David's car. Julius stayed on the street. David then drove away with the unknown man. The man asked David about high explosive lenses, a formula for the curve of the lens, the high explosives used, and the means of detonation. After driving around for a while, David returned to the original place of meeting and let the man out. This man was then joined by Rosenberg who was standing on the street, and David observed them leaving together.

In the Spring of 1945, Ruth Greenglass came to Albuquerque to live. She finally rented an apartment at 209 North High Street, Albuquerque. David would visit this apartment on weekends. On the first Sunday of June, 1945, a man subsequently identified by David as Harry Gold came to visit him. Gold asked if David's name was Greenglass, and David said "Yes." Gold then said "Julius sent me." David went to his wife's wallet and took out the piece of the jello box and compared it with the piece offered by Gold. They matched. Gold asked David if he had any information. David said he did but would have to write it up.

Gold then left, stating he would be back. David immediately started to work on a report and made sketches of the lens mold experiments, wrote up descriptive material regarding them, and prepared a list of possible recruits for espionage. Later that day Gold returned and David gave him the reports. Gold then gave David an envelope and left. David and Ruth opened the envelope which contained \$500. David turned the money over to Ruth. The Court accepted copies of the sketches prepared by Greenglass at the time of the trial to describe the information Greenglass had turned over to Gold. These sketches were admitted into evidence. (65-58236-Serial 822)

In September, 1945, David Greenglass returned to New York City with his wife, Ruth, on furlough. The next morning Julius Rosenberg came to the Greenglass apartment and wanted to know what David had for him. David informed Julius that he had obtained a pretty good description of the atom bomb. At this point in his testimony the Government prosecutor reverted to Rosenberg's contact with David in January, 1945. David reiterated that in January, 1945, Rosenberg gave him a description of an atom bomb which David later learned had been subsequently dropped on Hiroshima. David stated that Julius gave him this information in order that David would know what information to look for. At that time Rosenberg told David that the atom bomb consisted of fissionable material at each end of a tube, and that this material was brought together under great pressure to cause a "nuclear explosion."

Greenglass continued to relate what transpired in September, 1945. At Julius' request, he drew up a sketch of the atom bomb, prepared descriptive material on it, and drew up a list of scientists and possible recruits for Soviet espionage. He thereafter delivered this material to the Rosenberg apartment. He stated that at the time he turned this material over to Rosenberg, Ethel and Ruth were present.

Greenglass at the trial prepared a sketch of a cross section of an atom bomb to indicate what he gave to Rosenberg, and this was made Government exhibit #8. At this point Emanuel Bloch asked the Court to impound the sketch of the bomb so that no one but the Court, jury, defendants, and attorneys would be able to see it. Bloch stated that he was making this request in the interest of national security. The Government prosecutor remarked to the Court that this was an unusual request to come from these defendants. Judge Kaufman ordered the sketch impounded, pointing out that inasmuch as the defense requested it, the defense would have no grounds for objection to the impounding in case of an appeal.

Greenglass then continued his testimony and testified as to the make-up of the atom bomb, using the sketch referred to above. He further stated that he told Rosenberg how the bomb was set off by a barometric pressure device. Rosenberg told him the information was very good and it should be typed up immediately. The information was then prepared on a portable typewriter in the Rosenberg apartment by Ethel. While Ethel was typing the report, Julius mentioned to David that he (Julius) had stolen a proximity fuse while working at the Emerson Radio Corporation and turned it over to the Russians. After the report was typed, the handwritten notes were burned in a frying pan by Julius and flushed down a drain. Julius gave David \$200. Julius discussed with David the idea of David's staying at Los Alamos after he was discharged from the army so that he could continue to get information. David declined. Julius also attempted to persuade David to go to college partly under the G.I. Bill of Rights and partly on Russian funds. He urged David to become a student in nuclear physics at the Massachusetts Institute of Technology or the University of Chicago in order to make contacts in this school and obtain information for the Russians.

From 1946 to 1949, David was in business with Julius Rosenberg. During this period Julius told David that he had people going to school; that he had people in up-State New York and in Ohio giving him information for the Russians. Julius also mentioned one such place was the General Electric Company in Schenectady, New York. Rosenberg mentioned to Greenglass on one occasion that he had seen one of his contacts at Cleveland, Ohio.

Late in 1947, Julius told David about a sky platform project and mentioned he had received this information from "one of the boys." Rosenberg described the sky platform as a large vessel which could be suspended at a point in space where the gravity was low, and that the vessel would travel around the earth like a satellite. Rosenberg also advised David that he had a way of communicating with the Russians by putting material or messages in the alcove of a theater. Julius also mentioned he had received from one of his contacts the mathematics relating to atomic energy for airplanes. (65-58236-820)

Greenglass testified that Rosenberg claimed to have received a citation, together with a watch, from the Russians. Greenglass also testified that Rosenberg claimed to have received a console table from the Russians which he used for photography purposes.

In February, 1950, a few days after the news of the arrest of Dr. Fuchs in England was published, Julius came to David's home and asked David to go for a walk. During this walk Rosenberg spoke of Fuchs and then mentioned that the man who had come to see David in Albuquerque was also a contact of Fuchs. Julius stated that David would have to leave the country. David answered that he needed money, and Rosenberg said he would get the money from the Russians. Rosenberg then mentioned that Joel Barr, who was a member of the espionage ring, had left the country. In April, 1950, Rosenberg again told David he would have to leave the country. About May 23, 1950, Rosenberg came to the Greenglass apartment with the "New York Herald Tribune" which had a picture of Harry Gold and the story of Gold's arrest. Rosenberg said "This is the man who saw you in Albuquerque." Julius gave David \$1,000 and stated he would come back later with \$6000 more for David to use in leaving the country. Julius stated that David would have to get a Mexican tourist card. Julius also mentioned that he went to see a doctor who told him that a doctor's letter stating David was inoculated for small pox would also be needed, as well as passport photos. Rosenberg then gave David a form letter and instructions to memorize for use in Mexico City. Upon David's arrival in Mexico City, he was to send this letter to the Soviet Embassy in Mexico City and sign it "I. Jackson." Three days after he sent this letter, David was to go to the Plaz De La Colon at 5 P.M. and look at the Statue of Columbus there. David was to carry in his hand a guide to the city with his middle finger between the pages of the guide. He was to wait until some man came up to him. David would then state "That is a magnificent statue" and advise the man that he (David) was from Oklahoma. The man would then answer, "Oh, there are much more beautiful statues in Paris." The man would give David a passport and additional money. David was to go to Vera Cruz and then go to Sweden or Switzerland. If he went to Sweden, David was to send the same type of letter to the Soviet Ambassador or his secretary and sign the letter "I. Jackson." Three days later, David was to go to the Statue of Linnaeus in Stockholm at 5 P.M. A man would approach David and David would mention that the statue was beautiful. The man would answer "There are much more beautiful ones in Paris." The man would then give David the means of transportation to Czechoslovakia. Upon arrival in Czechoslovakia, David was to write to the Soviet Ambassador advising him of his presence there.

Julius further advised David that he himself would have to leave the country because he had known Jacob Golos, and that Elizabeth Bentley probably knew him also. Sometime later David and his family went to a photography shop and had six sets of passport photos taken. On Memorial Day Rosenberg

visited the Greenglass apartment and David gave him five sets of these photos. Sometime later Rosenberg again visited David and gave David \$4,000 in \$10 and \$20 bills wrapped in brown paper. He requested David to go for a walk with him and repeat the memorized instructions. David gave the \$4,000 to his brother-in-law, Louis Abel, for safekeeping.

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In another conversation with Rosenberg shortly prior to David's arrest, Rosenberg asked David if he was being followed, and David said he believed he was. (65-58236-836)

On cross-examination, David testified he used the \$1,000 he received from Julius to pay household debts and the \$4,000 to pay his lawyer, O. John Rogge, for representing David. (65-58236-846, 850)

(Ref: See also report of Joint Committee on Atomic Energy entitled "Soviet Atomic Espionage" dated April, 1951, which contains excerpts from David Greenglass testimony, pages 60-144)

2. WITNESSES CORROBORATING GREENGLASS STORY

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a. Ruth Greenglass

Ruth Greenglass, wife of David Greenglass, also testified at the trial and in addition to corroborating her husband's testimony, she gave the following information:

She stated that prior to her departure for New Mexico in November, 1944, she had a conversation with Julius and Ethel Rosenberg at the Rosenberg apartment in New York City. Julius told her that he and Ethel had discontinued their open affiliation with the Communist Party because he had always wanted to do more than just be a Communist Party Member. Julius informed her that after two years he had succeeded in reaching the Russians and was now doing the work he wanted to do. He informed her that David was working on the atom bomb and requested her to enlist David's help in furnishing information to him for the Russians about Los Alamos. Ruth declined at first but was urged by Ethel to approach David. Julius then gave her instructions for David as to the particular type of information he wanted. A few days later Julius gave Ruth \$150 to defray the expenses of her trip to New Mexico.

On her return to New York in December, 1944, after visiting David, she was visited at her apartment by Julius, at which time she informed him of David's decision to cooperate. She furnished to Julius orally the information given to her by David and also wrote it down for Julius. She informed him of David's impending furlough. Prior to her departure for Albuquerque in February of 1945, Julius visited her at her apartment where she was living with her sister, Dorothy Printz. Julius requested Dorothy Printz to leave the room and after she did so he furnished Ruth instructions concerning a meeting with an espionage contact in Albuquerque. (65-58236-850, 851, 853)

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b. Harry Gold

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Harry Gold testified in summary as follows: Gold was engaged in Soviet espionage from 1935 up to the time of his arrest in May, 1950. From 1944 to 1946 his espionage superior was a Russian known to him as "John." He identified a picture of Anatoli A. Yakovlev, former Soviet Vice Consul in New York City as "John." Yakovlev's picture was admitted into evidence.

In the middle of June, 1944, Gold had an espionage meeting with Dr. Klaus Fuchs in Woodside, Queens. As a result of this meeting, Gold wrote a report and turned it over to Yakovlev about a week or so later. Gold told Yakovlev at this meeting that at Gold's next meeting with Fuchs, the latter would give Gold information relating to the application of nuclear fission to the production of military weapons.

In the latter part of 1944, Gold met Fuchs in the vicinity of Borough Hall, Brooklyn and received a package from Fuchs which Gold later turned over to Yakovlev.

Gold's next meeting with Fuchs was in the middle of July, 1944, in the vicinity of 96th Street and Central Park West, New York City. He conversed with Fuchs for about an hour and a half. About a week or two later, Gold turned over to Yakovlev a report he had written concerning this conversation. Gold told Yakovlev that Fuchs had given further information concerning the work of a joint American and British project to produce an atom bomb. Subsequently, Gold had a regularly scheduled series of meetings with Yakovlev, who instructed Gold how to continue his contacts with Fuchs. In this connection, Gold stated that it was his duty to obtain information from a number of American espionage sources and give it to Yakovlev. He pointed out he effected his meetings with these sources by using recognition signals such as an object or a piece of paper and a code phrase in the form of a greeting. Gold related that he always used a false name. He also stated that his sources lived in cities other than Philadelphia (Gold's home city). Gold also advised that he paid money to these sources which he had in turn received from Yakovlev. (65-58236-853)

Early in January, 1945, Gold met Fuchs in Cambridge, Massachusetts, and received a package of papers which he later turned over to Yakovlev in New York City. He told Yakovlev that Fuchs was to be stationed in Los Alamos at a large experimental station. He further told Yakovlev that Fuchs had mentioned that a lens was being worked on in connection with the atom bomb. His next meeting with Fuchs was to be in Santa Fe on the first Saturday of June, 1945.

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Early in February, 1945, Gold met Yakovlev on Twenty-third Street between Ninth and Tenth Avenue in New York City. At this meeting, Yakovlev indicated the interest of the Russians in the plans mentioned by Fuchs. ~~TOP SECRET~~

On the last Saturday in May of 1945, Gold met Yakovlev inside Volk's Restaurant on Third Avenue, New York City, to discuss Gold's next meeting with Fuchs in Santa Fe. Yakovlev instructed Gold to take on an additional mission in Albuquerque, New Mexico. Gold protested, but Yakovlev said it was vital, pointing out that a woman was supposed to go but was unable to make the trip. Yakovlev gave Gold an onionskin paper on which was typed the name Greenglass, an address on High Street, Albuquerque, and the recognition signal "I am from Julius." Yakovlev also gave Gold a piece of cardboard cut from a food package. Yakovlev stated that Greenglass in Albuquerque would have the matching piece. Yakovlev also stated that if Greenglass was not in, Greenglass' wife would give Gold the information. Yakovlev then gave Gold \$500 in an envelope to turn over to Greenglass. Yakovlev instructed Gold to follow a devious route to Santa Fe and Albuquerque in order to minimize the danger of a surveillance.

Gold arrived in Santa Fe on Saturday, June 2, 1945, and met Fuchs, who gave Gold a package of papers. Gold left Santa Fe on the afternoon of June 2nd by bus and arrived in Albuquerque that evening. He went to the High Street address and found out that the Greenglasses were not in. Gold stayed at a rooming house overnight. The next day, a Sunday, he went to the High Street address and knocked on the door. David Greenglass opened the door. Gold said, "Mr. Greenglass." David answered, "Yes." Gold then said, "I come from Julius" and showed Greenglass the piece of cardboard which Yakovlev had given him. Greenglass requested Gold to come into his apartment. Greenglass then took a piece of cardboard from a woman's handbag and compared it with the piece Gold had given him. The pieces matched. Gold introduced himself to Mr. and Mrs. Greenglass as "Dave from Pittsburgh." Greenglass told Gold that the visit was a surprise and that it would take several hours to prepare the A bomb material for Gold. David then started to tell Gold about possible recruits at Los Alamos but Gold cut him short and pointed out to David that it was very hazardous and that David should be circumspect in his behavior. Ruth Greenglass mentioned to Gold that she had spoken to Julius just before leaving New York to come to Albuquerque. Gold left and then returned later that afternoon. David gave Gold an envelope which he said contained information on the atom bomb. Gold turned over to David the envelope containing the \$500. David mentioned to Gold that he expected to get a furlough sometime around Christmas. He gave Gold the

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phone number of Julius in New York City in the event Gold wanted to reach Greenglass. Gold told David that very likely he might return to Albuquerque in the early Fall of 1945 and might see David at that time. Gold left the apartment accompanied by David and Ruth, who walked with Gold to a point in front of a small building where he left them. Gold returned to New York City by train on June 5, 1945. While en route to New York City by train, he examined the material David had given him. He put David's material into a manila envelope and put the material he had received from Fuchs into another manila envelope. On the envelope containing Fuchs' material, Gold wrote "Doctor." On the envelope containing Greenglass' material Gold wrote "other." Gold observed that David's material consisted of three or four hand-written pages plus a couple of sketches with letters referred to in the text of the hand-written pages. The sketch appeared to be of some device. On the evening of June 5, 1945, Gold met Yakovlev along Metropolitan Avenue in Brooklyn and turned over to Yakovlev both envelopes.

About two weeks later Gold met Yakovlev on Main Street, Flushing, New York. Yakovlev told Gold that the information he had received from Gold on June 5 had been sent immediately to the Soviet Union and that the information he had received from Greenglass was "extremely excellent and valuable." At this meeting, Gold related the details of his conversation with Fuchs and Greenglass. Fuchs had stated that tremendous progress had been made on the atom bomb and that the first explosion had been set for July, 1945.

In early July, 1945, Gold met Yakovlev in a sea food restaurant at the Broadway Station of the Astoria Elevated Line. Yakovlev said it was necessary to make arrangements for another Soviet agent to get in touch with Gold. At Yakovlev's instructions, Gold took a sheet of paper from his pocket which had the heading "Arthur H. Thomas Company of Philadelphia." Gold tore off the top portion containing the name. On the reverse side of the sheet Gold wrote in diagonal fashion "Directions to Paul Street." Yakovlev then tore the paper in an irregular fashion between the letters "P" and "a" of the word Paul. Yakovlev kept one portion and Gold kept the other. Yakovlev said that if Gold received two tickets in the mail without a letter, it would mean that on a definite number of days after the date on the ticket Gold was to go to the Broadway stop of the Astoria Line for a meeting which would take place in a restaurant-bar. Gold's Soviet contact would be standing at the bar and approach Gold and ask to be directed to Paul Street. They would then match the torn pieces of paper.

In August, 1945, Gold again met Yakovlev someplace in Brooklyn and was told by Yakovlev that he (Gold) was to

take a trip in September, 1945, to see Fuchs. Gold suggested to Yakoulev that since he was going to see Fuchs, he might as well go to Albuquerque to see David Greenglass also. Yakoulev answered that it was inadvisable because it might endanger Gold to have further contact with Greenglass. In September, 1945, Gold met Fuchs in Santa Fe, New Mexico. On his return to New York City on September 22, 1945, Gold went to a prearranged meeting place to see Yakoulev, who failed to appear. About ten days later, Gold met Yakoulev at Main Street, Flushing, and turned over to him a package he had received from Fuchs. He told Yakoulev that Fuchs had said there was no longer the open and free cooperation between the Americans and the British and that many departments were closed to Fuchs. Fuchs also stated he would have to return to England. Fuchs related to Gold that he was worried because the British had gotten to Kiel, Germany, ahead of the Russians and might discover a Gestapo Dossier there on Fuchs which would reveal Fuchs' strong Communist ties and background. Fuchs and Gold also discussed the details of a plan whereby Fuchs could be contacted in England.

In November, 1945, Gold had another meeting with Yakoulev at which Gold mentioned that Greenglass would probably be coming home around Christmas for a furlough. Gold suggested that plans should be made to get in touch with Julius in an effort to obtain more information from Greenglass. Yakoulev told Gold to mind his own business.

In January, 1946, Gold again met with Yakoulev who told Gold about a man Yakoulev had tried to contact and found out the man was under continuous surveillance. Yakoulev used this story to point out to Gold that it was better to give up the contact than endanger their work.

In February, 1946, Gold went to the Earl Theater in the Bronx, New York, for a meeting with Yakoulev, but Yakoulev did not appear. Early in December, 1946, Gold received two tickets to a boxing match in New York City through the mails. The tickets were addressed to Gold's Philadelphia home incorrectly and too late for Gold to keep the appointment. At 5 p.m. on December 26, 1946, a telephone call was received at Abe Brothman Associates, Gold's place of employment. A voice asked for Harry Gold. When Gold identified himself, the voice asked if he had been all right. Gold answered that he had been fine. The voice then said, "This is John." Gold explained in his testimony that the question as to whether Gold had been all right was a code expression to give Gold a chance to indicate whether or not he had been under surveillance. Gold then arranged with John to meet an unidentified man in the Earl Theater that night. The man identified himself by handing Gold the torn piece of the sheet of paper containing the heading "Arthur H. Thomas Company" which Gold and Yakoulev had previously prepared. Gold was requested by this man to

proceed to 42nd Street and Third Avenue, New York City, to meet Yakovlev. He met Yakovlev, who asked if Gold had had anything further from Fuchs. Yakovlev apologized for his ten months' absence and explained that he had to lie low. He stated he was glad Gold was working in New York and told Gold he should begin to plan for a mission to Paris, France, in March, 1947, where Gold would meet a Physicist. He gave Gold an onionskin paper setting forth information for his proposed meeting in Paris. During the conversation with Yakovlev, Gold mentioned that he was working for Abe Brothman. Upon hearing this, Yakovlev became very excited and told Gold that Gold had almost ruined eleven years of work by working for Brothman because Brothman had been investigated in 1945. Yakovlev dashed out of the place of meeting stating that Gold would not see him in the United States again. (65-58236-892)

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Gold was not cross-examined by defense counsel.
(65-58236-864)

It is interesting to note that the Soviet intelligence services, in utilizing Gold to contact Greenglass, made a mistake in security which ultimately led to the uncovering of the Rosenberg spy ring, a network independent of the one Gold was involved in. From our knowledge of Soviet intelligence activities, it is known that the Soviets with their stress on security will not usually allow a member of one network to know of the existence of another network so that in the event one network is detected, the other will not be compromised. It will be recalled that Gold's protestation to Yakovlev about contacting Greenglass in Albuquerque went unheeded. The Soviets have undoubtedly found good reason to regret this error in judgment.

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c. DR. GEORGE BERNHARDT

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As noted hereinbefore, David Greenglass testified as to the intention of Julius Rosenberg to flee from the United States in the Spring of 1950. He also testified concerning the instructions from Rosenberg for the flight of himself and his family.

Dr. Bernhardt testified that he was the Rosenberg's family physician. He stated that in May, 1950, he had a telephone conversation with Julius Rosenberg at which time Julius asked what injections were needed to go to Mexico. Dr. Bernhardt told him that he would need injections for typhoid and small pox. Rosenberg advised the Doctor he was making this inquiry for a friend. The Doctor asked Rosenberg for sufficient notice so that he could get the serum and Julius answered he would notify the Doctor if the shots were necessary. (65-58236-Serial 864)

d. BEN SCHNEIDER

Schneider, a photographer, 99 Park Row, New York City, testified that on a Saturday in May or June, 1950, he was visited by the Rosenbergs and their two children. He took photographs of the entire family which Julius said he wanted of passport size. Julius told the photographer that he and his family intended to go to France. (65-58236-Serial 931)

NOTE: This witness was located by NYO agents on 3/26/51 (5 days after the Government had rested its case and while the defense was presenting its case).

On 3/23/51, information was confidentially received from Jerome Tartakow, a cellmate of Julius Rosenberg at Federal Detention Headquarters, New York City, that Rosenberg was worried about the FBI locating a passport photographer who had taken passport photos of the Rosenberg family. On the basis of this information, NYO agents instituted a canvas of various passport photographers in lower Manhattan on the morning of 3/26/51. On 3/26/51 they located Schneider at 99 Park Row, New York City, which is situated about 200 yds. from our NY office. Schneider testified on 3/27/51 as a Government rebuttal witness.

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e. EVELYN COX

David and Ruth Greenglass testified that Julius Rosenberg had a console table which had been given to him by the Russians and which was used by him for photography work.

Evelyn Cox, a negro maid who worked part time for the Rosenbergs, testified to seeing a new table in the living room of the Rosenberg apartment sometime in 1945. She described this table as a solid mahogany console table and as the most beautiful piece of furniture in the Rosenberg apartment. She asked Ethel Rosenberg where she had secured this table and Ethel replied that it had been given to her husband by a friend as a gift. A short time after first seeing this table, Mrs. Cox recalled she next observed it in a closet in the Rosenberg apartment. She asked Ethel why the table was in the closet and if she should place it back in the living room. Ethel told her to leave the table in the closet since it was too large for the living room.
(65-58236-Serial 931)

f. DOROTHY PRINTZ

As reflected hereinbefore, Ruth Greenglass testified that prior to going to Albuquerque in February of 1945, she was contacted by Julius Rosenberg at her apartment. Dorothy Printz, her sister who was living with her, was requested by Julius to leave the room.

Dorothy Printz (Abel) testified that early in 1945 she resided with Ruth Greenglass in her apartment at 266 Stanton Street, New York City. She stated that she recalled in January or February of 1945, Julius Rosenberg came to the apartment and asked her to take a book and leave the room. Rosenberg stated he wished to speak to Ruth Greenglass privately.
(65-58236-853)

g. DR. WALTER S. KOSKI

Dr. Koski, a nuclear chemist, testified that from 1944 to 1947, he was associated with the atom bomb project at Los Alamos. He stated that his own work was related to implosion research. He stated it was his custom to make a design of a high explosive lens and then take it to the machine shop to have a mold of it made up. His work was classified secret. The manufactured mold was later removed to a remote place at Los

Alamos to shape explosives. This was done for safety reasons due to the heavy shocks of the high explosive. Koski stated that he worked on a flat type lens which was involved in the development of the atom bomb. He further stated that he would go to the machine shop and furnish sketches to the supervisor of the shop and determine what was needed. Koski recalled seeing David Greenglass in the machine shop. Koski identified the sketches prepared by David Greenglass at the trial and entered as exhibits, as reasonably accurate replicas of the type of sketches he, Koski, submitted to the machine shop. Koski stated that these specimens could have been of value to a foreign power and would reveal to any expert what was going on at Los Alamos and indicate to the expert its relation to the atom bomb. (65-58236-Serial 822)

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h. JOHN A. DERRY

Derry testified he was a U.S. Army officer from 1942 to 1946. He was assigned to the Manhattan Engineer District at Oak Ridge, Tennessee, in the capacity of a liaison officer. In that capacity he visited Los Alamos from time to time. He had occasion to see the atom bomb which was being constructed at Los Alamos. He was shown a cross section sketch of the atom bomb which was drawn by David Greenglass and introduced as an exhibit at the trial. Also, the court reporter read to Derry, David Greenglass's description of the atom bomb as given in the testimony of Greenglass. Derry testified that from the sketch and description he could perceive what the actual construction of the atom bomb was and that it was the type of atom bomb which was dropped on Nagasaki, Japan, in 1945. He also testified that to his knowledge no nation except Great Britain and Canada had this information about the atom bomb. (65-58236-Serial 874)

i. LOUIS ABEL

Louis Abel, brother-in-law of David Greenglass, testified that about a week before Greenglass was arrested, he received from Greenglass a package wrapped in brown manila paper. A day or two later he looked into the package and observed it contained money. He hid the package in a hassock in his home for safekeeping. At about 2:00 AM on June 16, 1950, Abel received a telephone call from Greenglass who requested Abel to go and see O. John Rogge and ask Rogge if he would represent Greenglass in this trouble. Later that morning Abel went to see Rogge concerning this. Rogge told Abel that he had received a call from Greenglass and that Greenglass wanted Abel to turn over the money to Rogge. Later that day Abel took the package from his home and returned to Rogge's office and turned the package over to Herbert J. Fabricant, Rogge's associate. (65-58236-853)

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j. MRS. HELEN PAGANO

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Mrs. Pagano, secretary employed by O. John Rogge, testified that on June 16, 1950, Louis Abel brought to Rogge's office a package of money wrapped in brown paper. She stated the package contained \$3,900. (65-58236-Serial 931)

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9. OTHER EVIDENCE PRESENTED AT THE TRIAL

a. MAX ELITCHER

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Elitcher testified that he first met Sobell while both were attending Stuyvesant High School in New York City. He further stated that he and Sobell also attended the College of the City of New York together from 1934 to 1938. Elitcher graduated from CCNY with a Bachelor's degree in electrical engineering. Elitcher pointed out that Julius Rosenberg also studied engineering at CCNY during this same period. Elitcher saw Sobell daily at school and saw Rosenberg less frequently. After graduating, Elitcher obtained employment with the Bureau of Ordnance, Navy Department, Washington, D. C., in November, 1938. He continued this employment until October, 1948.

In December, 1938, Elitcher resided at 1316 Delafield Place, Washington, D. C. During December of that year Sobell came to Washington and stayed at a house next to Elitcher's place of residence. In April or May, 1939, Elitcher and Sobell moved in together and took up residence in a private home, 4925 Seventh Street, N.W. In May of 1940, they moved into an apartment at 2225 M Street, N.W. During the period they lived together Sobell was also employed at the Bureau of Ordnance. In September, 1941, Sobell left his employment to go to the University of Michigan in order to continue his studies.

Elitcher further advised that during the period he lived with Sobell they had conversations concerning the Communist Party. At Sobell's request, Elitcher joined the Young Communist League. About three or four months after May of 1939, Elitcher attended a meeting with Sobell at which there was a discussion about forming a branch of the Communist Party. This branch was formed and Elitcher joined the Communist Party at the end of 1939. Meetings of this group were held at the home of various members and dues were paid to the Chairman of the group. Elitcher stated that Sobell was the first Chairman of the group. At meetings discussions were conducted of news events based on the "Daily Worker" and literature like "The Communist." The group also discussed Marxist and Leninist theory. Suggestions were made to the members to join the American Peace Mobilization and to assist the American Youth Congress convention. Discussions were also held concerning the Hitler-Stalin Pact, and members were instructed to strive to get support of other people for the Russian position. Elitcher continued to go to these meetings until September, 1941. In 1942, Communist Party branches were formed which contained groups of employees from particular Government agencies. Elitcher joined the Navy branch of the Communist Party.

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Elitcher testified that about June, 1944, he received a telephone call from Julius Rosenberg, who identified himself as a former classmate of Elitcher's at CNY. Elitcher invited Rosenberg to visit him, and Rosenberg came to the Elitcher home the same evening. During the evening Rosenberg asked Mrs. Elitcher, who was present, to leave the room so that he could talk with her husband alone. After Mrs. Elitcher left the room, Rosenberg told Elitcher what the Soviet Union was doing in the war effort and stated that some war information was being denied the Soviet Union. Rosenberg pointed out, however, that some people were providing military information to assist the Soviet Union, and that Sobell was helping in this way. Rosenberg asked Elitcher if he would turn over information of that type to him in order to aid the Soviet Union. Rosenberg asked Elitcher the type of work Elitcher was doing. Elitcher answered that he was working on computers and fire control systems concerned with equipment to control the firing of missiles from guns. Rosenberg asked Elitcher to supply him with plans, reports, or books regarding new military equipment, and anything Elitcher might think would be of value to the Soviet Union. Rosenberg pointed out that the final choice of the value of the information would not be up to Elitcher but that the information would be turned over to some one for evaluation. Rosenberg stated that this information would be taken to New York in containers that would protect it and would be processed and returned before it was missed. Rosenberg gave Elitcher his address and also told Elitcher his name could be found in the Manhattan directory.

Elitcher further testified that later that Summer he and Mrs. Elitcher went to New York City. Elitcher phoned Rosenberg and Rosenberg arranged a meeting and dinner with other former classmates. At this dinner there was no discussion regarding matters Rosenberg had previously discussed with Elitcher in Washington.

In September, 1944, Mr. and Mrs. Elitcher went on a one-week vacation in a State Park in West Virginia with Morton Sobell and his future wife. During this vacation Elitcher told Sobell about Rosenberg's visit and request for information to be given to the Soviet Union. Elitcher also told Sobell that Rosenberg had said Sobell was helping in this. Sobell became angry and said that Rosenberg should not have mentioned his name.

In the Summer of 1945, Elitcher and his wife were in New York on vacation and stayed at the apartment of Julius Rosenberg. Rosenberg's wife was away at the time. During their stay there Rosenberg mentioned to Elitcher that he, Rosenberg, had been dismissed from his employment for security reasons, and that Rosenberg's membership in the Communist Party seemed

to be the basis of the case against him. Rosenberg told Elitcher that he had been worried about this matter because he thought his dismissal might have had some connection with his espionage activity but that he was relieved when he found out it concerned only his Communist activity.

Elitcher also testified that in September, 1945, Rosenberg telephoned him from Union Station, Washington, D. C., and said he wanted to talk to Elitcher. He came to Elitcher's home and told Elitcher that even though the war was over, the need to obtain military information for Russia continued. Rosenberg asked Elitcher as to the type of work he was doing. Elitcher told Rosenberg he was working on Sonar and anti-submarine fire-control devices.

In the early part of 1946, Elitcher visited the General Electric Company in Schenectady, New York, in connection with official business and stayed at the home of Sobell in Schenectady. At the time Sobell was working at General Electric. On this occasion Sobell and Elitcher discussed their work. Elitcher told Sobell that he was a project engineer on a fire-control system and Sobell inquired as to whether there were any reports written about this system. Elitcher told Sobell that there were some pamphlets written on various phases of this system. Sobell also asked if there was an ordinance pamphlet written on this system. Elitcher advised Sobell that one was being written by General Electric which would be ready about the first of the year. Elitcher stated he could probably get these reports but that they were unimportant. At this point in his testimony Elitcher pointed out that these reports were actually classified reports. Elitcher continued his testimony, stating that Sobell advised that he was working on Servo mechanisms relating to military work. Later that year Elitcher again saw Sobell, and Sobell asked about the ordinance pamphlet. Elitcher advised Sobell that it was not ready yet. Sobell suggested that Elitcher see Rosenberg again. At the end of 1946 or in 1947, Elitcher telephoned Rosenberg and said he would like to see him. Elitcher told Rosenberg that Sobell had suggested that he see Rosenberg. At this time Rosenberg advised Elitcher that there had been some changes in the espionage work; that he felt there was a leak, and that Elitcher should not come to see him until further notice. Rosenberg mentioned to Elitcher that he believed Elitcher should discontinue his Communist and union activities.

Elitcher testified that in 1947, Sobell had secured employment at the Reeves Instrument Company, New York City, doing classified work for the armed forces. Elitcher saw Sobell several times at Reeves and on one occasion had lunch with him at the Sugar Bowl, 89th Street and Third Avenue, New York City,

in 1947, with Sobell. Sobell stated he was working on a plotting board. Elitcher told Sobell he was still a project engineer at the Bureau of Ordnance. Sobell asked Elitcher on this occasion if Elitcher knew of any progressive students or graduates and if so, would he put Sobell in touch with them. Elitcher told Sobell he did not know of any. Elitcher then mentioned to Sobell that he and Mrs. Elitcher were having personal difficulties. Sobell asked if Mrs. Elitcher knew about the espionage business and when Elitcher said that she might know, Sobell answered that it was not good. TOP SECRET

In October, 1948, Elitcher left the Bureau of Ordnance and went to work for Reeves Instrument Company in New York City. Elitcher lived in a house in Flushing, New York, and Sobell lived on a street in back of him. They went to work together in a car pool. During a trip home from work one evening Sobell again made the same request of Elitcher about people Elitcher might know who would be progressive. Sobell pointed out to Elitcher that because of security measures being taken by the Government, it was necessary to find students to provide information whom no one would suspect.

Elitcher further testified that prior to leaving the Bureau of Ordnance, he had discussed with Sobell his desire to secure new employment. This discussion occurred during a visit Elitcher made to New York City in the Summer of 1948. Sobell told Elitcher not to leave the Bureau of Ordnance until Elitcher had talked to Rosenberg. Thereafter, Sobell made an appointment for Elitcher to meet with Rosenberg. They met on the street in New York, and Rosenberg told Elitcher that it was too bad Elitcher had decided to leave because he, Rosenberg, needed some one to work at the Bureau of Ordnance for espionage purposes. Sobell was present at this meeting and also urged Elitcher to stay at the Bureau of Ordnance. Sobell then left the meeting. Rosenberg and Elitcher had dinner together at Manny Wolf's Restaurant in New York City where they continued to talk about Elitcher's desire to leave his job. Rosenberg wanted to know where important defense work was being done, and Elitcher mentioned the Bell Laboratories at Whippeny, New Jersey. Rosenberg suggested that possibly Elitcher could take courses at college to improve his status. (65-58236-Serial 815)

Elitcher also testified that in July, 1948, he took a trip to New York City by car, and that during this trip he believed he was being followed. He proceeded to Sobell's home and told Sobell of his suspicion. Sobell became angry and told Elitcher he should not have come to his home if he felt he was being followed. Sobell told Elitcher to leave the house and stay somewhere else and then later agreed to allow Elitcher to stay

with him. A little later that evening Sobell mentioned to Elitcher that he had some information for Rosenberg which was too valuable to destroy, and he wanted to get it to Rosenberg that night. He requested Elitcher to accompany him. Elitcher observed Sobell take a 35 mm film can with him and place it in the glove compartment of Sobell's car. Sobell and Elitcher then left and drove to the vicinity of the Journal-American Building in New York City and parked on Catherine Street. Sobell then took the can out of the glove compartment and left. When Sobell returned, Elitcher asked him what Rosenberg thought of Elitcher's suspicions that he was being followed. Sobell answered that Rosenberg thought it was nothing to worry about. Sobell also advised Elitcher that Rosenberg said he, Rosenberg, had once phoned Elizabeth Bentley but that she did not know Rosenberg.

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Elitcher testified that Sobell possessed a Leica camera, some 35 mm film, and an enlarger, and that all of the material Sobell worked on in his various places of employment was classified. He stated he last saw Sobell in June, 1950.

On cross-examination Elitcher recalled that during Rosenberg's visit to his house in June, 1944, which was after D Day, Rosenberg mentioned that he had had a drink with a Russian in celebration of this event. Elitcher testified that Rosenberg contacted him at least nine times from 1944 to 1948 in an attempt to persuade Elitcher to obtain information for him, and that Elitcher always put him off. However, in 1948, Elitcher told Rosenberg that he definitely would not cooperate with him. (65-58236-816, 837, 838)

b. ELIZABETH TERRILL BENTLEY

Elizabeth Bentley testified as follows: She joined the Harlem section of the Communist Party in 1935 and remained with that section until 1938. In July, 1938, she secured a job in the Italian Library of Information. During this year she was instructed to go underground and was told to pretend not to know other Communists. While employed at the Italian Library of Information, she came to know Feruccio Marini, a Communist Party official who handled Italian Communist activity in the United States. She knew Marini under the name of F. Brown. In October, 1938, she met Jacob Golos through Marini. Golos was in the Communist underground and operated World Tourist, Inc., a travel agency set up in 1927 by the Communist Party. Golos had been, until the time of his death in November, 1943, a member of the

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three-man control commission of the Communist Party in the United States. According to Bentley, the Communist Party of the United States was part of the Communist International. After Golos died, Bentley had other contacts, the last one being Anatole Gromov, First Secretary of the Soviet Embassy in the United States. The last contact with Gromov was in December, 1945. She stated that the information which Golos had obtained was passed on to the Soviet Embassy. After Golos died, Bentley's duties consisted of collecting information from Communists employed in the U. S. Government and passing it on through Communist superiors to Moscow. She stated that Earl Browder, as well as her own observations, gave her the knowledge that the Communist Party in the United States served the interests of Moscow. She revealed that she transmitted orders to Earl Browder from Moscow, which he had to accept. She pointed out the close relationship between the Communist Party in this country and the Communist International and stated that at Communist Party meetings this close relationship was preached, and any member who did not adhere to the Party line as dictated by the Communist International in Moscow was expelled. She revealed that all of her contacts in her work were obtained from the Communist Party. In the Summer of 1945, Bentley reported to the FBI all her activities. She was asked if she would continue her activities under FBI guidance which she did until the Spring of 1947.

Bentley stated that during her association with Golos, she became aware of the fact that Golos knew an engineer named "Julius." In the Fall of 1942, she accompanied Golos to Knickerbocker Village but remained in his automobile. She saw Golos conferring with "Julius" on the street but at some distance. From conversations with Golos, she learned that Julius lived in Knickerbocker Village. She also stated that she had phone conversations with "Julius" from the Fall of 1942 to November, 1943. On the objection of defense counsel she was not allowed to describe "Julius" or testify that Golos had obtained information from "Julius." (65-58236-882)

NOTE: From interviews with Bentley, she had described Julius as being 5' 10" or 11" tall, slim, and wearing glasses. She has also advised that Julius was the leader of a Communist cell of engineers who was turned over to Golos for Soviet espionage purposes. Julius was to be the contact between Golos and the group. Golos believed this cell of engineers was capable of development.

Investigation disclosed from 1942 on that Julius Rosenberg resided at 10 Monroe Street in a development known as Knickerbocker Village. Julius Rosenberg was 5' 10" tall, slim, and wore glasses. Bentley was unable to make a positive identification of Julius.

William Danziger, a classmate of Morton Sobell and Julius Rosenberg at the College of the City of New York, testified that about June 20, 1950, he telephoned Sobell and asked if he could borrow an electrical drill from Sobell. Sobell told Danziger he was leaving for a vacation in Mexico and that if Danziger wanted the drill he would have to come to his home and pick it up. Danziger went to Sobell's home and saw Morton and Helen Sobell and Edith Levitov, sister of Helen. Packing was in progress and valises were standing about. The Sobell car was in the driveway with the trunk open. Sobell advised Danziger he was flying to Mexico City. Danziger stayed about 10 minutes and left. About a week later, Danziger received a piece of mail from Sobell postmarked at Mexico City. The return address on the envelope had the name "M. Sowell" with a Mexico City address. Danziger could not recall the address. The envelope contained a letter to Danziger and enclosures. A note in the letter said "Please forward the enclosures and I'll explain to you when I get back." Sobell requested that one enclosure be forwarded to Edith Levitov who resided in Arlington, Virginia. He requested that the other enclosure be given to his parents. Danziger further testified that Sobell requested him to deliver a note to Max Pasternak, an uncle of Sobell, to the effect that Sobell could be reached as "M. Sowell" at a particular address in Mexico City. Danziger stated he delivered the note containing Sobell's pseudonym and address to Pasternak. Danziger answered Sobell's letter by writing to "M. Sowell" at the Mexico City address. He also testified that he placed the letter addressed to Edith Levitov in an envelope and mailed it to her. Two weeks later Danziger received another piece of mail from Sobell postmarked in Mexico City. The return address on the envelope had the name of "M. or Morty Levitov" with a Mexico City address which Danziger believed to be Cordova or Cordoba. The envelope contained a letter for Danziger, an enclosure for Edith Levitov and a note requesting Danziger to forward the enclosure to Edith Levitov. Danziger mailed the enclosure to Edith Levitov. He stated that he did not hear from Sobell thereafter. (65-58236-Serial 864)

NOTE: Danziger was a reluctant Government witness. He admitted acting as a mail drop for Sobell to Bureau agents after he was confronted with proof that the FBI laboratory had identified his handwriting appearing on the envelopes he used in forwarding Sobell's letters.

Max Elitcher, admitted former Communist, identified Danziger as a member of the Navy Department cell of the Communist Party in Washington, D. C., from 1945 until at least 1948.

d. MANUEL DE LOS RIOS

Rios, residing at 158 Cordova, Apartment 5, Mexico City, testified that in July, 1950, he met Sobell and his family who had moved into the adjoining apartment. Sobell asked Rios for advice as to how he could leave Mexico. He told Rios he was dodging military service in the United States Army. On one occasion Sobell asked Rios for directions to go to the Port of Vera Cruz. Sobell thereafter left Mexico City around July 20 or July 22, 1950, and was gone for 15 days. Rios received a letter about 8 days after Sobell's departure postmarked Vera Cruz. He opened the envelope and observed that the letter was for Mrs. Sobell. He delivered the letter to Mrs. Sobell. About 6 or 7 days later, Rios received a second letter from Sobell postmarked Tampico, Mexico, which Rios also delivered to Mrs. Sobell. Rios did not see Sobell after his return to Mexico City.

(65-58236-Serial 873)

e. MINERVA BRAVO ESPINOSA

This witness, an employee of Optica Palacios, an optical concern in Vera Cruz, identified Sobell as an individual who used the name M. Sand in purchasing eye glasses from her.

(65-58236-Serial 873)

f. JOSE BROCADO VENDRELL

This witness, an employee at Gran Hotel Diligencias, Vera Cruz, identified a registration card of the hotel dated July 30, 1950, containing the name Morris Sand. Sobell's attorney conceded that the signature on this card was in the handwriting of Sobell. (65-58236-Serial 873)

g. DORA BAUTISTA

This witness, an employee of the Hotel Tampico in Tampico, Mexico, identified Sobell as an individual who registered at the hotel on July 30, 1950, under the name of Marvin Salt.

(65-58236-Serial 873)

g.(1) JAMES S. HUGGINS

This witness, the Immigration and Naturalization Service inspector on duty at Laredo, Texas, when Sobell was brought to the border by Mexican Federal Security Police, testified that Sobell's return to the United States on August 18, 1950, was not voluntary.

h. GLENN DENNIS

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Mr. Dennis, travel superintendent of the CMA Mexican Airlines, produced a passenger manifest reflecting the name M. Sand on a plane flight from Vera Cruz to Tampico on July 30, 1950, and another passenger manifest reflecting the name Morton Solt on another plane flight from Tampico to Mexico City on August 2, 1950. Sobell's attorney conceded that M. Sand, Marvin Salt and Morton Solt was in fact Morton Sobell. (65-58236-Serial 873)

4. CASE PRESENTED BY DEFENDENTS

Julius and Ethel Rosenberg testified and denied all espionage allegations against them. They admitted having a console table, but denied it was a gift from the Russians as claimed by the Greenglasses. They stated that they bought this table at Macy's Department Store in New York City in 1944 or 1945. On cross-examination, they were asked questions as to their Communist affiliations. They refused to answer on the grounds of self-incrimination.

Thomas V. Kelly of Macy's Department Store was called as a defense witness and testified that Macy's sales records for the year 1944 and 1945 had been destroyed and that there was no record available of transactions for those years.

(65-58236-Serials 965, 929, 930, 931)

Morton Sobell did not take the stand.

5. CONCLUSION OF TRIAL

On March 28, 1951, counsel for both sides summed-up their case to the jury. On this date Judge Kaufman charged the jury.

On March 29, 1951, the jury rendered a verdict of guilty against the three defendants, Julius and Ethel Rosenberg and Morton Sobell.

After the rendition of the verdict, Judge Kaufman and Mr. Saypol thanked the Jury for their patience and care in sitting in this case.

Mr. Bloch also addressed the Court and Jury. He stated in part as follows: "I want to extend my appreciation to the Court for its courtesies, and again I repeat I want to extend my appreciation for the courtesies extended to me by Mr. Saypol and the members of his staff, as well as the members of the FBI, and I would like to say to the jury that a lawyer does not always win a case; all that a lawyer expects is a jury to decide a case on the evidence with mature deliberation.

"I feel satisfied by reason of the length of time that you took for your deliberations, as well as the questions asked during the course of your deliberations that you examined very carefully the evidence and came to a certain conclusion. ~~TOP SECRET~~
(65-58236-955-Enc.)

On April 5, 1951, Judge Kaufman imposed the following sentences:

Julius Rosenberg - death, such sentence to be carried out during the week of May 21, 1951.

Ethel Rosenberg - death, such sentence to be carried out during the week of May 21, 1951.

Morton Sobell - - - imprisonment for a term of 30 years.

In imposing the death sentence on the Rosenbergs, Judge Kaufman made the following comments: "Your crime is worse than murder. Plain deliberate, contemplated murder is dwarfed in magnitude by comparison with the crime you have committed - - - - but in your case, I believe your conduct in putting in the hands of the Russians the A bomb years before our best scientists predicted Russia would perfect the bomb has already caused the Communist aggression in Korea with the resultant casualties exceeding 50,000 - and who knows but that millions more of innocent people may pay the price of your treason."

Judge Kaufman also stated "Indeed, the defendants Julius and Ethel Rosenberg placed their devotion to their cause above their own personal safety and were conscious they were sacrificing their own children should their misdeeds be detected - - - - all of which did not deter them from pursuing their cause. Love for their cause dominated their lives - it was even greater than their love for their children."

On April 6, 1951, Judge Kaufman imposed a sentence of 15 years on David Greenglass. In sentencing Greenglass, Judge Kaufman stated that he did not condone or minimize the acts of Greenglass. He stated he must recognize the help given by Greenglass in bringing to justice "the arch criminals in this nefarious scheme." He pointed out that it took "courage" for Greenglass to testify as he did and that Greenglass had helped to "strike a death blow to the trafficking of our military secrets by foreign agents." He also stated to Greenglass "You, at least, have not added to your sins by committing the additional crime of perjury."

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Evidence Not Used at Trial

III. Information and Evidence in Rosenberg Case Which Was Not Utilized at the Trial.

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2. JEROME EUGENE TARTAKOW

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Tartakow, a confidential informant whose identity has not been disclosed, was a fellow inmate of Julius Rosenberg at the Federal House of Detention, New York City, during the time Rosenberg was an inmate there. Tartakow voluntarily furnished information concerning conversations he had with Rosenberg during that period. The information furnished by Tartakow relating to the persons involved with Julius Rosenberg is being set out under their individual captions. Certain of the information furnished by Tartakow was corroborated, but the great bulk of this information has not been corroborated.

Rosenberg advised Tartakow that he had plenty of money but only he or his wife had access to it. Rosenberg claimed he did not flee the United States as he had to "take care of" some friends and that if he had had another week he would have escaped. In speaking of the death penalty, Rosenberg advised "he had played the game and lost and would have to take the results."

Rosenberg stated there were two units operating in the New York area and that he headed one unit and two men headed the other unit. He mentioned that one of these men was in Europe at the time of his (Rosenberg's) arrest and that the other man fled one week after his arrest.

Rosenberg advised this informant that he had no direct connection with the American Communist Party and that he did "extra-legal work." Rosenberg indicated that it had taken a long time to get into underground activities and that the breaking up of the Canadian spy ring had caused him to lose contact for almost two years. Rosenberg, as an illustration of the time needed to build an organization, told of a young couple in a midwest city to whom he gave money to operate a business as a front. Rosenberg mentioned that this man had operated as a go-between for the transmission of microfilm to Rosenberg.

Rosenberg told the informant how he had meetings with his Russian contacts and the prearranged signals which were used such as marks on store windows, standing in front of a theater and stuffing tobacco in his pipe. He also revealed how he had discovered a hole in the floor of a theater which was thereafter used by him as a depository for transmitting information. Rosenberg named his Russian contacts as Alex,

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Henry and Dennis, but did not further identify these persons. Rosenberg also related how he had contacted a Russian superior in a railway station in an unnamed city and passed information to him by switching briefcases. He also described a meeting with a superior while driving in a car with Morton Sobell on Long Island. Rosenberg revealed that he had contact with a Russian several times a month.

Rosenberg advised the informant that if his wife, Ethel Rosenberg, were released she could make contacts as-- "she is a very capable person, one thoroughly checked by my friends, as all the wives of agents are and one who has assisted me on many of my projects." Rosenberg indicated he had \$7,000 in cash and a Leica camera in his apartment at the time he was first questioned by FBI agents (June 16, 1950), but he refused to consent to a search. The following morning Ethel Rosenberg removed the money and the camera in a shopping bag and took them to the apartment of a CP member in Knickerbocker Village.

Rosenberg revealed to the informant that during the weekend of July 4, 1949, he had spent 17 hours in the company of William Perl and two other men photographing material in the Rosenberg apartment, which material had been taken from Columbia University by William Perl.

3. APARTMENT AT 65 MORTON STREET, NYC

David Greenglass advised that he learned from Rosenberg that Rosenberg had two apartments which were used for photographing material which was transmitted to Soviet intelligence. Greenglass also learned from Rosenberg that Joel Barr worked with Rosenberg in Soviet espionage. An apartment at 65 Morton Street, New York City, was located which had been rented by Alfred Sarant and in which Sarant, Joel Barr and William Perl lived at various times. The superintendent of this apartment observed photographic-type equipment in the apartment. Perl admitted residing in this apartment through arrangements made by him with Barr and Sarant. Max Elitcher advised he attended social gatherings at this apartment which were also attended by Rosenberg, Perl, Barr, Sarant, and Morton Sobell.

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IV. Other Investigation Connecting Various Persons
With Julius Rosenberg and His Espionage Activities

Other Persons Involved with SUOP.

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PART IV

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OTHER INVESTIGATIONS CONNECTING VARIOUS PERSONS
WITH JULIUS ROSENBERG AND HIS ESPIONAGE ACTIVITIES

1. WILLIAM PERL

As has been set out hereinbefore, William Perl was reported by [REDACTED]

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David Greenglass advised that in September or October of 1948, Rosenberg told him that he (Rosenberg) had received from "one of the boys" the mathematics involved in the construction of an atomic energy airplane motor.

Jerome Tartakow advised that Rosenberg told him that Perl gave Rosenberg the plans on "nuclear fission to propel airplanes," that Perl was a brilliant man in the field of aerodynamics and that some of the material furnished to Rosenberg by Perl was "terrific."

David Greenglass also advised he learned from Rosenberg that Rosenberg had two apartments which were used for photographing material which was turned over to the Soviets. Greenglass also learned from Rosenberg that Joel Barr worked with Rosenberg in Soviet espionage activities. An apartment at 65 Morton Street, New York City, was located which had been rented by Alfred Sarant and in which Sarant, Joel Barr and William Perl all lived at various times. The superintendent of this apartment observed photographic-type equipment in this apartment.

Perl was born October 1, 1918, in New York City, under the name of William Mutterperl. He changed his name to Perl by court order in 1945. His father was a native of Russia and his mother, a native of Poland.

Perl was a classmate at the College of the City of New York of Rosenberg and Morton Sobell. Perl began employment with the National Advisory Committee for Aeronautics (NACA) in 1939 and was assigned to Langley Field, Virginia, from 1939 to 1944, at which time he was transferred to Cleveland. He remained employed by NACA at Cleveland until September, 1950, with the exception of a period between 1946 and 1948, when he studied at the California Institute of Technology, Pasadena, California, and at Columbia University, New York City. During his employment

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with NACA, he had access to highly classified information.

During the Rosenberg investigation, Perl was interviewed by Bureau agents on July 27, 1950, ten days after Rosenberg was arrested. Perl admitted that on July 23, 1950, he had been contacted at his apartment in Cleveland by Vivian Glassman, whom he had previously known as a girl friend of Joel Barr. She wrote him a note in which she stated that she had been instructed by a stranger to speak to an aeronautics engineer in Cleveland and give him money and instructions on how to leave the country for Mexico. She wrote that she had money for him. Perl claims, following her departure, he flushed the note down the lavatory bowl.

It is of interest to note that prior to the arrest on June 16, 1950, of David Greenglass, Greenglass had been given instructions by Rosenberg to leave the country via Mexico; Morton Sobell actually went to Mexico in June, 1950; Alfred Sarant disappeared from the U.S. on August 4, 1950, and is known to have crossed the border into Mexico on August 9, 1950.

An extensive investigation of Perl was undertaken and developed considerable information showing the extent of Perl's associations and apparent participation in Rosenberg's activities, but no definite evidence has been obtained to date as to any particular classified information Perl made available to the Soviets. Perl was called before a Federal Grand Jury on September 11, 1950, and questioned concerning his association with Rosenberg, Sobell and others. He was indicted on March 13, 1951, in the Southern District of New York on four counts of perjury arising out of certain denials he made concerning his acquaintance with these individuals. On May 19, 1953, the perjury trial of Perl commenced before United States District Judge Sylvester Ryan in the Southern District of New York and a jury. On May 22, 1953, the jury returned a verdict of guilty on two counts and not guilty on two counts. On June 5, 1953, Perl was sentenced to five years on each count to run concurrently.
(65-59312)

2. VIVIAN GLASSMAN PATAKI

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Vivian Glassman was born January 30, 1919, in New York City. She is a graduate of Hunter College and also had attended the College of the City of New York. While employed in the U.S. Army General Development Laboratory, Fort Monmouth, New Jersey, in 1943, she was reported as being a leading figure in the Communist-dominated Monmouth chapter of the United Federal Workers of America of the CIO. She first came to the attention of the Bureau during the Rosenberg investigation when she was identified as a former girl friend of Joel Barr.

On August 3, 1950, she was interviewed by Bureau agents and confirmed the fact of her visit to Perl as set forth above. She explained that she made this visit at the request of a man who was unknown to her and visited her home on July 21, 1950, introducing himself as an acquaintance of Joel Barr. She stated that this unidentified visitor asked her to go to Cleveland to visit her friend, an aeronautical engineer, who was interested in her sister. She believed that he was referring to William Perl, a friend of her sister, and the only aeronautical engineer she knew in Cleveland. Her visitor asked her to tell Perl to go to Mexico and gave her a roll of money which he said amounted to \$2,000. After obtaining Perl's address from her sister's correspondence, she took a plane to Cleveland the next day, obtaining reservations in the name of Mrs. S. Goldberg and rented a room under the same name at the Regent Hotel in Cleveland.

Glassman advised she visited Perl and wrote notes on a pad furnished by Perl, giving him the instructions the stranger had given her concerning going to Mexico and advising him she had money for him. She said Perl told her she must be crazy to get mixed up in such a deal, professed to know of no reason why anyone should want him to go to Mexico and told her to return to New York and wash her hands of the whole affair. She returned to New York, retaining the money until the evening of July 27, 1950, when she stated the unidentified man again visited her apartment. She informed the man of her contact with Perl and returned the money to him. She claimed to have had no further contact with this man.

Glassman acknowledged being friendly with Julius and Ethel Rosenberg, as well as acquaintanceship with Alfred Sarant.

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She also admitted that she paid rent to Sarant on two occasions for the apartment at 65 Morton Street, New York City, claiming that she had considered taking over this apartment after Sarant had moved out and had paid the rent while trying to make up her mind.

Jerome Tartakow advised on January 18, 1951, that he had learned from Julius Rosenberg that the latter was concerned about information given the Government by a woman who was on intimate terms with Ethel Rosenberg. Rosenberg said this woman travelled to a distant city to bring funds to a man there so that he could leave the country and for some reason the funds were refused by this man.

Tartakow also advised on April 5, 1951, that Julius Rosenberg told him he had furnished his Russian contact with the name of Perl, among others, as a person to be helped to flee the U.S. and that his contact selected Vivian Glassman as a courier for the job, a choice which Rosenberg considered unwise since she was too well known as a Communist to be used in such a capacity.

Glassman is presently married to Ernest Pataki. The latter was interviewed by Bureau agents in August, 1950, and it is interesting to note that immediately subsequent to this interview, he quit his position with the Federal Telecommunication Laboratories, Incorporated.

Investigation of Pataki was undertaken to determine whether he may have associated with any members of Rosenberg's espionage network. This investigation is still pending. Investigation of Vivian Glassman is pending. (65-59334)

3. JOEL BARR

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As noted hereinbefore, David Greenglass advised that after the arrest of Harry Gold on May 23, 1950, Rosenberg attempted to persuade Greenglass and his wife to flee from the U.S. via Mexico. According to Greenglass, Rosenberg told him that more important persons than Greenglass had left the country and mentioned that Joel Barr left the U.S. before Fuchs was arrested and was working for the Russians in Europe. Greenglass also advised that Rosenberg told him that Barr had gone to Europe to study music and was using his music studies as a cover for his espionage activities.

Jerome Tartakow has advised that Rosenberg stated there were two espionage units operating in New York City; that Rosenberg headed one of these units and that the other unit was headed by two men. Rosenberg told Tartakow that one of these two men was in Europe at the time of Rosenberg's arrest.

Joel Barr was born January 1, 1916, in Brooklyn, New York, and was a classmate of Rosenberg and Sobell at the College of the City of New York. He graduated from the College of the City of New York in 1938, with a bachelor degree in electrical engineering. He was employed from July 1, 1940, to February 23, 1942, as a junior electrical engineer, Fort Monmouth, New Jersey, in the Signal Corps Laboratories and was dismissed after investigation disclosed that he had signed a Communist petition in 1939. He applied for a U.S. passport on December 1, 1947, giving as a reason for travelling abroad his desire to broaden his background by study in Europe. He left the U.S. on January 21, 1948, for Paris, France. He is known to have studied for short periods of time at technical schools in Sweden and Holland and ostensibly supported himself by playing the piano. He disappeared from his residence in Paris on June 16, 1950, the date Greenglass was arrested, and his present location is not known.

Max Elitcher advised that Barr was an acquaintance. Elitcher stated that he was present at social gatherings at 65 Morton Street, New York City, attended by Rosenberg, Barr, Alfred Sarant, William Perl and Morton Sobell.

Alfred Sarant advised in an interview with Bureau agents in July, 1950, that he associated closely with Joel Barr beginning in 1941. Sarant stated that Barr frequently

visited him at his apartment at 65 Morton Street; that Barr had a key to the apartment and that in 1946 when Sarant moved to Ithaca, New York, he let Barr take over this apartment. Sarant stated Barr subsequently turned the apartment over to William Perl. Sarant also stated that he believed Barr was a member of the Communist Party.

A highly confidential and reliable source advised that in March, 1944, Barr was a member of the Communist Party in New York. This investigation is pending.

(See 65-59453)

4. ALFRED SARANT

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As stated hereinbefore, [REDACTED]

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As also stated hereinbefore, David Greenglass advised that Julius Rosenberg told him that he had two apartments in New York City, which were used for photographic activities of the Rosenberg espionage network, one of which was located in Greenwich Village. Investigation has reflected that the Greenwich Village apartment was probably Apartment 6-1, 65 Morton Street, New York City. This apartment was leased by Alfred Sarant from October, 1943, to January 31, 1950. Sarant vacated this apartment in the Fall of 1946, when he moved to Ithaca, New York, but he thereafter allowed various of his friends to use the apartment including Joel Barr, William Perl and Vivian Glassman.

The superintendent of the premises at 65 Morton Street, Floyd Elwyn, Sr., advised that in 1944, when he had occasion to enter this apartment in connection with his custodial duties, he observed that the apartment contained very little furniture. He said that there were three iron single cots in the apartment, work benches in the living room, a considerable quantity of electrical tools and several black tool boxes in the closet. Floyd Elwyn, Jr., son of the superintendent, advised that in the Winter of 1949-50, when he entered the apartment he observed a reflector-type flood bulb suspended from a wall bracket over the kitchen table which was in the living room and that there was very little furniture in the apartment.

Jerome Tartakow has advised Rosenberg confided to him that Sarant was "a member of his organization." Tartakow also advised that Rosenberg told him he had made two trips to Ithaca, New York, to see Sarant and made "pickups," which informant interpreted to mean that Sarant was furnishing information to Rosenberg. Tartakow further advised Rosenberg told him there were two espionage units operating in New York City and that Rosenberg headed

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one of these units and that the other unit was headed by two men. Regarding these two men, Rosenberg stated that one of them was in Europe at the time of Rosenberg's arrest and that the other man had fled from the United States one week after Rosenberg's arrest. It should be noted that Sarant left New York City on August 4, 1950, with Carol Dayton, the wife of Weldon Bruce Dayton, a next door neighbor of Sarant in Ithaca. It is known that Sarant and Mrs. Dayton entered Mexico shortly thereafter. The last definite information concerning his whereabouts was on August 13, 1950, when he and Mrs. Dayton were known to have left Guadalajara, Mexico, for Mexico City, travelling as Mr. and Mrs. Bruce Dayton. The present whereabouts of these individuals is unknown.

During the Rosenberg investigation, Sarant was interviewed on several occasions. In July, 1950, he admitted acquaintanceship with both Julius and Ethel Rosenberg, stating he first met them sometime between 1942 and 1945. Sarant also admitted membership in the Communist Party in 1943-1944, admitted being an acquaintance of William Perl and admitted close association with Joel Barr since 1941. He stated he probably met Rosenberg through Barr.

Sarant stated he had considerable interest and proficiency in photography and admitted having film development equipment and flood lamps in his apartment at 65 Morton Street. He also stated that Joel Barr had a Leica camera when Barr was residing with him in this apartment.

Sarant further admitted that on one occasion Julius Rosenberg "propositioned him" to sound him out politically, but Sarant claimed "I didn't bite." He refused to furnish any details concerning this "proposition" and denied participation in any espionage activities with Rosenberg.

Sarant was born September 26, 1918, in New York City, and was graduated in electrical engineering from Cooper Union in June, 1941. He was discharged from the position of junior radio engineer with the Signal Corps Laboratories, Fort Monmouth, New Jersey, on September 3, 1942, and was characterized by his superiors as a labor agitator. He was thereafter employed as an engineer of

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the Western Electric Company and Bell Telephone Laboratories
in New York City, resigning from the latter concern on
September 11, 1946. From October, 1946, to the date of
his disappearance, he resided in Ithaca, New York, where
he was self-employed as a building and painting contractor.
A highly confidential and reliable source advised that
Sarant was a member of the Communist Political Association
in 1944.

Investigation of this case is still pending.

(65-59242)

5. MICHAEL AND ANNE SIDOROVICH

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Both David and Ruth Greenglass identified Anne Sidorovich as being in the Rosenberg apartment in New York City in January, 1945, where the Greenglasses were introduced to her. Subsequent to her departure from the apartment, Rosenberg told the Greenglasses that Anne Sidorovich or someone else would contact them in Denver or Albuquerque to secure the atomic energy data Greenglass was to develop. Rosenberg gave to Ruth Greenglass a portion of the side of a Jello box and said that Anne or someone else would have the matching piece as a method of identification. Actually, it was Harry Gold who ultimately contacted the Greenglasses in Albuquerque.

Both Sidorovichs have been interviewed on several occasions and denied engaging in espionage activity. When first interviewed on July 25, 1950, Michael Sidorovich indicated he did not know Rosenberg; later, he and his wife admitted a close friendship with Julius and Ethel Rosenberg. He stated he had gone to Seward Park High School in New York City with Julius Rosenberg. He also admitted that he knew the Rosenbergs in Young Communist League activities in New York City prior to 1937, at which time Sidorovich went to Spain to fight for the Loyalists.

It is interesting to note that according to Jerome Tartakow, Rosenberg told Tartakow he advanced money to a young couple to open a business in the west. Rosenberg said the man had gone to school with him and had been in the Abraham Lincoln Brigade in Spain. According to Rosenberg, this man had acted as a "go-between" and had been used to send microfilm from others to Rosenberg. Sidorovich admitted owning a Leica camera. He stated that he bought it from an unknown soldier while riding on a train from New York City to Cleveland in January, 1945, for the sum of about \$100.

Anne Sidorovich admitted knowing the Rosenbergs and the Greenglasses. She stated she could not deny or affirm that she visited the apartment of the Rosenbergs and met the Greenglasses as stated by the Greenglasses.

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Michael Sidorovich was born July 16, 1916, in New York City. In applying for a passport in 1937, he stated his father was born in Russia. Since January, 1945, he has resided in Cleveland, Ohio.

Anne Sidorovich, nee Hanusiak, was born July 4, 1918, in New Haven, Connecticut.

This investigation is still pending.

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6. MAXWELL FINESTONE

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Jerome Tartakow advised he learned from Rosenberg that the last person recruited by Rosenberg was an individual who was living with another man, the son of a wealthy family. The latter person was described by Rosenberg as owning a black convertible Buick, 1949 or 1950 model, and as having studied law and differed ideologically from his family. Rosenberg also indicated that the "recruit" had borrowed the convertible Buick to drive him to Ithaca, New York, to see Alfred Sarant and make a pickup of espionage material. It was Tartakow's understanding that this man also was the man who contacted Vivian Glassman after Rosenberg's arrest and instructed her to contact William Perl in Cleveland, Ohio. Rosenberg also advised Tartakow that this man assisted Rosenberg, Perl, and another man in photographing material for seventeen hours in the Rosenberg apartment on the weekend of July 4, 1949.

Investigation developed that the son of the wealthy family is probably Edward James Weinstein, the son of Joseph Weinstein, wealthy garment manufacturer in New York City. This individual attended Columbia University Law School during the school year of 1949-1950 but did not re-enter in September, 1950. Investigation further reflected that Weinstein owned a 1949 convertible Buick which he sold on July 19, 1950, two days after Rosenberg's arrest. Weinstein had a disagreement with his father and moved into an apartment at 418 East Ninth Street, New York City, which he shared with Maxwell Finestone from January to October, 1950.

Finestone is believed possibly identical with Rosenberg's "last recruit." Finestone lived for a period during the year 1949 at 65 Morton Street, New York City, in the apartment which was rented in the name of Alfred Sarant. Investigation has reflected that Finestone was an acquaintance of Sarant and Vivian Glassman. (65-60203-67)

Finestone was born July 28, 1922, at Boston, Massachusetts. His father, a naturalized American citizen, was born in Russia.

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A highly confidential source of known reliability reported that in 1947, Finestone held Communist Party membership card No. 43554. Investigation of Finestone reflects that while attending Cornell University from 1946 to 1949, he was active in the Young Progressives of America and American Veterans Committee. In May, 1941, Finestone was listed as a delegate to the Fourth Annual Assembly of the American Youth Congress held at Boston, Massachusetts.

Both Finestone and Weinstein were called before a Federal Grand Jury in the Southern District of New York and reportedly refused to answer pertinent questions.
(65-60203-2)

This investigation is pending.

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v.

Communist Party Front Activities and
Propaganda on Behalf of the Rosenbergs

C.P. Front Activities

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COMMUNIST PARTY FRONT ACTIVITIES AND PROPAGANDA ON
BEHALF OF THE ROSENBERGS

PART V

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The desperate legal struggle waged on behalf of the Rosenbergs was equally matched in intensity by an extraordinary propaganda drive to "Save the Rosenbergs." Significantly, the Communists frenzied effort to rescue the Rosenbergs from "legal murder" was deferred for more than a year after their arrest and for more than four months after they had been found guilty in a trial which the Communists later branded as a "monstrous frame-up," "a travesty of justice." The Rosenberg trial went completely unnoticed in the usually vigilant Communist Party press. Not a word about the alleged Rosenberg "frame-up" appeared in the "Daily Worker" until March 30, 1951, the day after the jury returned a verdict of guilty. Moreover, the Party's first public recognition of the Rosenberg case gave no hint whatever of the tremendous propaganda storm which the Communists would later raise over the Rosenbergs. Buried inconspicuously on page 9 of the "Daily Worker" of March 30, 1951, the Rosenberg conviction was reported in the following routine fashion:

"3 Convicted in 'Espionage' Trial"

"Two men and a woman were convicted here yesterday by a Federal Court jury on a charge of espionage for the Soviet Union during the war.

"Those convicted were Julius Rosenberg, electrical engineer; his wife, Ethel, mother of 2 children, and Morton Sobell, electronics expert.

"The main Government witness was David Greenglass, brother of Mrs. Rosenberg."

No further notice appeared in the "Daily Worker" concerning the Rosenberg case until April 6, 1951, when it was announced under a feature headline as follows: "Rosenbergs Sentenced to Death, Made Scapegoats for Korean War." The article, noting that the Rosenbergs were parents of 2 small children, appeared to be aimed chiefly at condemning the

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severity of sentence rather than the verdict itself. The word "frame-up," later to become virtually synonymous with the Rosenberg trial in Communist propaganda, was not used once. In the same issue of the "Daily Worker," a front-page editorial charging that American "panic mongers" were deliberately trying to create an atmosphere of war, made several oblique references to the Rosenberg case without, however, directly questioning the verdict.

The "National Guardian" Series:

It was not until mid Summer of 1951 that the propaganda campaign on behalf of the Rosenbergs began in earnest. Even at this late date, the Communist Party did not immediately commit itself to the task of vindicating the "martyred" Rosenbergs and exposing the "hideous plot" against them. Instead, the campaign was initiated in the form of a series of articles in the "National Guardian," unofficial weekly publication of the Communist-dominated Progressive Party.

This series, written by William A. Reuben, "National Guardian" reporter, began on August 15, 1951, with an article entitled "Is This the Dreyfus Case of Cold War America." The opening article set the keynote for the entire series of articles as well as for the intensive Communist propaganda campaign which was soon to follow - a campaign based mainly upon insinuation, artificially created doubts, confusion and sheer deception.

This first article posed a series of suggestive questions attempting to link the Rosenberg case with such previous cases as the Dreyfus Case, the Sacco-Vanzetti Case, and with other irrelevant issues. The article neatly illustrated a key technique to be employed by the Communists in their future agitation dealing with the Rosenberg Case, i.e., to create doubt by any means possible and then to offer such synthetic doubts as proof of the Rosenbergs' "complete innocence." This was done by suggesting that there were strong grounds indicating that the Rosenbergs were victims of a "political frame-up."

Underlying this smokescreen of nameless "suspicions" and "doubts," the "National Guardian" article unwittingly revealed a major purpose of the forthcoming propaganda barrage; namely, a strenuous effort to deflect attention from the Communist Party's own indirect but deep involvement in espionage.

Following this opening announcement the "National Guardian" ran a series of 7 articles by Reuben in successive weekly installments from August 22 to October 9, 1951. In summary, Reuben's "expose" condemned the Rosenberg trial and conviction as one gigantic frame-up based upon FBI collusion with a "self-confessed spy" and "stool pigeon" (David Greenglass) in which the Rosenbergs were "innocent victims" of war-time hysteria which was being consciously cultivated by the U. S. Government.

In order to justify this fantastic thesis, Reuben resorted to a variety of distortions, emotional appeals and half-truths which were later taken over and improved upon by the Communist press.

In view of the importance which the Communist Party later tried to attach to the anti-Semitic aspects of the case, it is worth noting that the "National Guardian's" initial series of articles made only one single suggestion that anti-Semitism was involved in the trial. Even this lone reference was more of an innuendo than a concrete charge. Midway through Reuben's "expose" he remarked in passing that it was "singular" that in a city of more than 30 per cent Jewish in population (New York City) not a single Jewish juror had been chosen.

Formation of National Committee to Secure Justice in the Rosenberg Case (NCSJRC)

In its issue of October 10, 1951, one week after the completion of the Reuben series, the "National Guardian" announced that a "National Committee to Secure Justice for the Rosenbergs" was being formed with William Reuben as its provisional chairman. The aims of this group were said to be nation-wide publicity of the facts of the case as well as the raising of funds for legal appeals on behalf of the Rosenbergs.

On January 3, 1952, a press release was issued announcing the formation of a "National Committee to Secure Justice in the Rosenberg Case" with offices at 246 Fifth Avenue, New York City, and with Joseph Brainin as chairman. According to this announcement, a group of "125 American men and women from all over the United States, who represent many occupations and professions," had joined with Brainin in organizing this Committee; however, only 18 persons were actually identified in the press release. This release called attention to the "many unexplained contradictions" in the Government's case and for the first time seriously injected the irrelevant issue of anti-Semitism into the discussion. The statement declared, "it is significant that none of the jurors was Jewish, although one-third of New York's population, where the trial took place, is of Jewish background." Continuing, the

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press release alleged that the severe sentence against the Rosenbergs had "raised fears in the leading Jewish press...that the Rosenbergs were 'victims of religious bigotry.'"

Shortly thereafter, an article appeared in the January, 1952, issue of "Jewish Life," (which has been cited as a part of the Communist press by the California Committee on Un-American Activities) giving the full treatment to the alleged anti-Semitic implications of the Rosenberg case. This article was captioned "Anti-Semitism and the Rosenbergs" and was written by Louis Harap, "Jewish Life" editor.

The absence of any Jewish jurors was described as "no accident" and a "highly suspicious aspect of the Government's approach" to the case. The fact that both the trial judge (Judge Kaufman) and the United States Attorney who tried the case (Irving Saypol) were Jewish, far from discouraging Harap, was offered as further evidence of anti-Semitism. With incredible logic, Harap argued that the selection of a Jewish judge was comparable to the Nazi's use of the notorious Judenrat (Jewish committees appointed for the purpose of punishing other Jews). Harap said the Government chose a Jewish judge and prosecutor expressly "to preclude any charge of anti-Semitism in meting out the unprecedented death sentence."

It is noteworthy that in playing up the charge of anti-Semitism because of the absence of Jewish jurors, no mention was made of the fact that a negro, Emanuel Clarence Dean, was a member of this jury. It is probable that if this jury did not have a member of the negro race on it, a similar charge of discrimination against the negro would have also been made in this case.

The Communist Party Joins the Campaign

On February 28, 1952, the Communist Party, which had remained largely in the background during all of this preliminary propaganda activity, finally joined in the chorus through its official organ, the "Daily Worker." The Communist Party mouth-piece declared, "The Rosenberg case is a ghastly political frame-up. It was arranged to provide blood victims to the witch-hunters, to open the door to new violence, anti-Semitism, and court lynchings of peace advocates and Marxists as 'spies.'"

Two weeks later the Communist-front Civil Rights Congress issued a press release calling for nation-wide support of the Rosenbergs. The anti-Semitic aspects of this case were now

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ready for full-scale exploitation as evidenced in a statement issued by William L. Patterson, Executive Secretary of the Civil Rights Congress. Patterson said "...the Rosenberg frameup is a new high in the growing anti-Semitism. The lynching of these two innocent American Jews, unless stopped by the American people, will serve as a signal for a wave of Hitler-like genocidal attacks against the Jewish people throughout the United States... The murder of the Rosenbergs will inevitably lead to new and fiercer attacks on Jewish synagogues such as we have seen in Florida, to more Hitler youth movements as have grown in Philadelphia."

When the campaign to "Save the Rosenbergs" went into high gear in approximately January, 1952, Communist activity in the case became nothing short of feverish. No trick of demagogy was overlooked. No possible promotion angle was neglected. Mass rallies, parades, picketing of public offices, prayer meetings, vigils and delegations to Congressmen and other public officials were supplemented by an intensive campaign to send thousands of letters and telegrams to the President urging clemency, the dissemination of hundreds of thousands of pamphlets, circular letters, financial appeals as well as the collection of thousands of signatures on clemency petitions. The campaign extended into some 40 foreign countries. Supporters of the Rosenbergs in France went so far as to declare a "National Rosenberg Day" and on June 16, 1953, it was reported that the Government of Poland had offered "political asylum" to the Rosenbergs in the event they were freed.

Clemency Petitions and Appeals

In addition to such dramatic promotions, the NCSJRC has solicited thousands of signatures for clemency petitions and appeals of one kind or another. The total number of persons signing such petitions is not known; however, it has reportedly been as high as 48,000 per week at the height of the campaign.

Many of these appeals have undoubtedly been made in good faith; however, the NCSJRC and the Communist press have reported them with little regard for honesty.

It is quite evident that the clemency drive was from the beginning of a highly artificial affair which was carefully promoted rather than a spontaneous public reaction as the Communist press sought to show. This was indicated from the mere fact that the "Daily Worker" was able to print the names and addresses of hundreds of clergymen and intellectuals who had written to the President asking for clemency. Unless the NCSJRC or the Communist Party had solicited such letters themselves, the Party press would have no way of knowing who had written to the White House except in a few isolated instances. At a number of

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rallies sponsored by the NCSJRC, individuals in attendance were handed telegrams, post cards or letters which were already completely filled out and addressed to the President and which lacked only a signature. In addition it has also been reported that representatives of the NCSJRC conducted intensive house-to-house canvasses, particularly in the Jewish and Negro neighborhoods, in an effort to obtain signatures for clemency petitions.

Apart from such synthetic methods of recruiting clemency advocates, the NCSJRC was not above resorting to plain misrepresentation. According to an article appearing in the Seattle "Post Intelligencer" on January 7, 1953, a number of Seattle clergymen had been "recruited" in the following manner. The ministers were asked over the telephone whether or not they favored capital punishment. If they replied in the negative, as many of them did, they were then asked if they were not therefore opposed to the electrocution of the Rosenbergs. Irrespective of their answers, their names were entered on the list of those opposing the Rosenbergs' death sentence. Another instance of deceptive reporting took place in connection with a statement made by Rabbi Abba Hillel Silver of Cleveland, Ohio. During the latter part of 1952, the Communist press headlined the fact that Rabbi Silver had joined the clemency drive. An advertisement placed in the "Washington Evening Star" on January 5, 1953, by the "Emergency Committee of the Arts and Professions to Secure Clemency for the Rosenbergs," one of many satellites of the NCSJRC, quoted Rabbi Silver as follows: "...I believe that the death sentence which has been imposed is unprecedented in the legal annals of our country...I believe that our country is strong and great-hearted enough to be merciful..."

The full text of Rabbi Silver's statement, which incidentally was in the form of a reply to a letter from Emanuel H. Bloch, the Rosenbergs' defense attorney, and which Rabbi Silver specifically asked receive no publicity, included such additional remarks as the following: "I have accepted the verdict of the courts in their conviction of the Rosenbergs...The crime of which they have been found guilty is a heinous one and I found no sympathy in my heart for men and women who betray their country. I was especially resentful of the effort that was made to drag in the issue of anti-Semitism in this most unfortunate affair..."

Probably the most flagrant instance of distortion, however, occurred in connection with a statement issued by Pope Pius XII in December, 1952. The Communist press made it appear that the Pope had directly and personally interceded and asked for clemency on behalf of the Rosenbergs. Moreover, when it

developed that the Pope's statement had not been immediately made public, the Rosenberg supporters hurled heated charges of "suppression," "gagging," etc., by the Department of Justice, which had received the Pope's communication. ~~TOP SECRET~~

The actual facts were far different. Pope Pius XII made no personal appeal for clemency whatsoever, but merely notified the Department of Justice in routine fashion through Catholic officials in Washington, D. C., of the fact that he had received a number of appeals asking him to request clemency for the Rosenbergs. According to a statement later issued by the Apostolic Delegation in Washington, the Pope had made no attempt "to judge the merits of the case" but had merely informed the Department of Justice of the fact that the Vatican had received appeals on behalf of the Rosenbergs. This information was confirmed by former Attorney General McGranery in an interview reported by the "New York Times" on February 15, 1953.

Despite these statements, the Communists and NCSJRC propaganda continued to use the Pope's name and to suggest that the Vatican had intervened in support of the clemency drive.

Pro-Rosenberg propagandists, fully aware of the natural aversion which many people feel toward capital punishment, were not above playing upon this sentiment with morbid references to the Rosenbergs' "charred bodies," "seared flesh," etc., in the event the death sentence should be carried out. The "Daily Worker" characterized the sentence as "savage," "vindictive," "sadistic," etc., spoke of the "brutal accents" of President Eisenhower's denial of clemency and described Department of Justice briefs in support of the sentence as "cold-blooded" documents. Altogether, the impression was conveyed that the Government had been motivated by some kind of "inhuman" blood lust throughout the entire proceedings. The propaganda from the NCSJRC also attempted to invoke a note of patriotism on occasion. The Rosenberg sentence has been referred to as a "crime against the American people," and agitation on behalf of the Rosenbergs has been called a fight against "national dishonor and shame" as well as a struggle for "American democracy." To underline this motif, rallies sponsored by the NCSJRC have been solemnly opened with the playing of the National Anthem.

Activities of the National Committee to Secure Justice in the Rosenberg Case

During August, 1952, only 6 months after the founding of the National Committee to Secure Justice in the Rosenberg Case, a "Midwest Conference on the Rosenberg Case" was held at Chicago, Illinois. During the conference a report of the National Committee was read which reflected that since its inception the

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NCSJRC had already distributed approximately 400,000 pieces of literature. It was further reported to the conference that the National Office of the Committee had already secured about 35,000 signatures for various petitions and it was indicated that the Midwest affiliates of the Committee would undertake to obtain at least 40,000 additional signatures by the end of October, 1952.

A financial report was delivered setting forth that since November, 1951, the NCSJRC had raised approximately \$50,000 in contributions. Some \$30,000 of this amount was received through the mails, \$10,000 at large public meetings, \$5,000 from small meetings and house parties, and \$5,000 from literature sales. Expenditures of the NCSJRC through July, 1952, included such items as \$4,500 for newspaper advertising, \$10,000 for printing costs, \$12,500 for overhead, postage and salaries, \$7,000 for legal fees and \$11,000 for printing a Supreme Court brief. It has been reliably reported that up until the date of the Rosenbergs' execution the NCSJRC raised approximately \$300,000.

The "Daily Worker" issue of May 5, 1952, reported that chapters of the NCSJRC had been established in 25 cities. In addition to its own affiliates, the NCSJRC has received support from such organizations as the Civil Rights Congress, the Labor Youth League, Progressive Party and other Communist-front organizations as well as from various divisions of the Communist Party itself. It has been reliably reported in fact that the World Federation of Trade Unions, a Communist-controlled labor federation, had been contacted and requested to organize world-wide demonstrations against the U. S. Government in connection with the Rosenberg case.

Among the more spectacular activities of the NCSJRC to date have been the following:

From December 27, 1952, to January 17, 1953, a continuous, round-the-clock picket line was maintained at the White House during the period that former President Truman was presumably studying a plea for executive clemency. This "White House Clemency Vigil" was called off on January 17, 1953, after more than 500 consecutive hours, only when it became evident that President Truman would not rule on the petition for clemency prior to his retirement from office. According to the "Daily Worker" this affair was climaxed on January 5, 1953, when more than 2,000 persons from 22 states arrived at the Nation's Capital to take part in the "vigil."

On December 21, 1952, some 800 persons took part in a demonstration for the Rosenbergs which was held at Ossining, New York, near Sing Sing Prison where the Rosenbergs were incarcerated and awaiting execution. Although barred from holding a meeting

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directly at the prison gates as originally planned, the demonstrators were permitted to send a five-man delegation to the prison walls to deliver Christmas cards addressed to the Rosenbergs as well as a huge floral wreath bearing the inscription "Greetings to Julius and Ethel Rosenberg from the People."

As the final legal moves were being made by the Rosenbergs' defense attorneys, thousands of pickets formed around the White House in June, 1953. The majority of these pickets poured into Washington, D. C., from New York City where the NCSJRC had arranged for several special "clemency trains" to carry these Rosenberg sympathizers to the Nation's Capital.

The picketing at the White House commenced at approximately 1:30 P.M. on June 14 and at 4:00 P.M. the pickets marched to Ninth Street and Constitution Avenue, Northwest, where the NCSJRC held a "prayer meeting" at which the Rosenbergs were eulogized by officials of the Committee and several clergymen.

An official count of the pickets by the Washington, D. C., Metropolitan Police Department indicated that there were approximately 6,800 persons involved in this blatant attempt to pressure the President of the United States into granting clemency for the convicted atom spies. The NCSJRC's own estimate of the number of pickets was set at 13,000.

Following this "prayer meeting," the majority of pickets entrained for New York City leaving a small handful of pickets to continue the "24-hour vigil" at the White House. The picketing of the White House continued until June 17, 1953, when, after the U. S. Supreme Court recessed for the summer, Mr. Justice Douglas announced that he had granted a stay of execution in order that new points of law brought before him by defense attorneys could be heard by the lower court.

Upon receiving the news that the Government was successful in petitioning for an extraordinary session of the U.S. Supreme Court, the NCSJRC went into action and again sent pickets to parade before the White House.

The picketing continued until the execution of the Rosenbergs was announced at approximately 8:45 P.M. on June 19, 1953. About 500 pickets were on hand at the White House at the time of the execution.

A near riot was narrowly averted by the local police as roughly 7,000 persons jeered and threatened the 500 pro-Rosenberg pickets. As the pickets marched away led by 3 men carrying American flags, the throng across the street became incensed. At the request of the police, the pickets lowered the

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American flags and as they departed they heaped their placards in a pile in front of the White House.

An item of interest which occurred after the execution of the Rosenbergs appeared in the June 21, 1953, issue of the "New York Journal American." The mothers of the Rosenbergs had returned to their respective apartments in New York City. Representatives of the NCSJRC were on hand at both homes. They were chased away at the home of Mrs. Tessie Greenglass, Ethel's mother. According to this news report, two women who said they were sent by the Committee attempted to gain admittance but were refused. Outside Mrs. Greenglass' home a crowd of about 50 stood quietly. One man reportedly said "I've known that couple all of their lives. They are absolutely no good. They broke their mothers' hearts and ruined the lives of their kids. They just want to make martyrs of themselves for the Reds in Russia."

This news account further reported that the mother of Julius Rosenberg had been accompanied to her home on the night of the execution by a girl who announced "I'm from the National Committee." This girl refused to allow a news photographer to take her picture. A short time thereafter another woman appeared at the door of Mrs. Rosenberg and rapped on the door for admittance saying "It's Mary, from the Committee." She was admitted. A short time later, another woman appeared at the Rosenberg door. She stated "I'm Emily. I was sent here by the Committee." She also gained admittance.

During the picketing activities of the NCSJRC in Washington, the following incidents occurred which are of interest:

On June 3, 1953, a reliable informant of WFO reported that the Committee had set up offices at the Inspiration House in Washington and that this office was controlled and directed by people from New York City. This informant advised that one of the local members of the Committee voiced strong resentment stating that it appeared to her that the national office of the Committee felt that "We in D.C. are not competent enough."

On June 5, 1953, the same source advised that a meeting of the NCSJRC was held at Inspiration House which was attended by some 20 people. During this meeting the group was advised that a minister from Chicago and a rabbi had approached the President's minister, who advised that he had promised when Eisenhower joined his church not to attempt to influence the President; however, if the President asked him he would recommend clemency.

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On June 14, 1953, a woman telephonically advised WFO that she had mistakenly received 6 or 8 telephone calls that day from persons inquiring concerning the details of a demonstration planned by the NCSJRC. She advised that most of the callers asked if this was the Committee for today's "outing".

Another reliable informant advised that on June 18, 1953, a worker at NCSJRC Headquarters at Inspiration House was sent out with \$60 in large bills to be exchanged for 60 one dollar bills. This money was to be furnished to out-of-town demonstrators for expenses in order to keep as many as possible in D. C. for the White House death vigil.

On June 14, 1953, a demonstration was held by the NCSJRC on the Mall in the vicinity of 9th and Constitution Avenue, N. W., Washington, D. C. A reliable informant advised that several ministers read prayers at the meeting. Informant commented that in each instance, the ministers were applauded, a rather unusual reception for a prayer.

J. J. Ellis of the U.S. Secret Service White House Detail advised that during the picketing on June 14, 1953, he had some of his own men mingle with the pickets. A soldier came over and pulled one of Ellis' men out of the line and wanted to know why he was not fighting in Korea instead of picketing the White House. Mr. Ellis commented that out of several thousand pickets in line, it had to be one of his men who was singled out.

Also, during the activities of the NCSJRC in Washington delegations from this organization were sent to contact various congressmen, senators and officials here. Congressman Frank Boykin of Alabama advised the Bureau that many of these individuals had attempted to see Congressman Franklin Delano Roosevelt, Jr. of New York at his office in Congress and Congressman Roosevelt had to hide in the men's room in order to avoid seeing them. Congressman Boykin also related that his son, a war veteran, while visiting Washington observed the picketing and recounted that a blind negro was being lead around by a white woman and he asked the woman what he was supposed to do.

On June 19, 1953, after Emanuel Bloch had exhausted all legal efforts to see the President and was told that the Rosenbergs were to be executed that evening, Bloch made the statement that the action of the Government had revealed "to the entire world that the people who are running this Government are much more barbaric than the Nazis when they were in power in Germany." He also reportedly stated that he did not know "what kind of animals I am dealing with, but I know I am dealing with animals." (Washington Star of June 20, 1953.)

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Bloch also reportedly requested that the warden at Sing Sing Prison convey the following message to the Rosenbergs: "Tell them I tried to do my best. Tell them I feel ashamed that I'm an American today." (Washington City News Service 6-19-53.)

It is noteworthy that this case has also been used by Communist Parties throughout the world for propaganda purposes against the United States. American embassies in Canada and Europe were flooded with petitions for clemency by various organizations and people. During the last few days prior to the execution of the Rosenbergs, demonstrations were held in major capitals of Europe such as Paris, Rome and London on behalf of the Rosenbergs. In a Washington City News Service release of June 20, 1953, foreign reaction to the execution was reported as follows: Paris - Communist-led groups swarmed through European streets last night and early today in generally orderly demonstrations protesting the execution of atom spies Julius and Ethel Rosenberg. A French teen-ager was shot and wounded and 386 persons were arrested in Paris.

Two bottles of kerosene were thrown through the window of the U.S. Information Service in Dublin.

According to this news account, most European newspapers headlined the execution, but only the Communist sheets studiously ignored the fact that the Rosenbergs had been convicted of a particularly odious crime.

In Rome, a pro-Government newspaper "Il Popolo" suggested that the Reds might better save their tears for the victims of Communist oppression in Berlin. The newspaper said "We too are moved when we think of the two children of the couple sentenced to death in the West." "But we are still more dismayed by the fate of all the orphans of men mowed down in the streets of Berlin by the machine guns of a grim and inhuman regime." (Obviously referring to the recent riots in East Berlin and the suppression of them by Russian military forces.)

The news account also reported that Tass News Agency (official Soviet news agency) charged the Rosenbergs were executed "in defiance of the protests of world opinion." The Polish News Agency charged the execution was "a murder carefully prepared beforehand and staged in detail by the thugs of the FBI."

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According to accounts from Italy, Red flags flying from Communist Headquarters and the homes of Communist Party members in Naples were half-masted.

In Austria the Communist Party scheduled a protest meeting at a theater in the Soviet zone of Vienna.

National Committee to Secure Justice in the
Rosenberg Case and the Rosenberg Funeral

Even in death the NCSJRC did not cease its anti-American propaganda activities in connection with this case.

The funeral arrangements for the Rosenbergs were carefully planned by the NCSJRC. The NCSJRC issued invitations to the funeral service, set aside a press section in the chapel for reporters and organized the cortege to the cemetery.

The funeral for the Rosenbergs was held on Sunday, June 21, 1953, in Brooklyn, New York, where approximately 350 persons attended the service within the chapel while an estimated 10,000 persons stood outside on the sun-baked streets listening to the service over a loud-speaker system provided by the committee.

Following a brief religious service, the proceedings became a Communist political attack on the United States, its leaders and its institutions.

In delivering his eulogy, Rabbi Abraham Cronbach, Professor Emeritus of the Hebrew Union College in Cincinnati, Ohio, said "We must eschew hatred. We must disdain rancor," and in quoting the Hebrew Scripture he said "Thou shalt not revenge, thou shalt bear no grudge." Of the Government, Rabbi Cronbach said "Let us give them credit for this much, they did what they thought right." The mourners in the packed funeral chapel hissed the Rabbi for his statements. The tirade at the funeral by Defense Attorney Emanuel H. Bloch was vicious. Bloch said "I place the murder of the Rosenbergs at the door of President Eisenhower, Attorney General Brownell and J. Edgar Hoover. This is not American justice. America today is living under the hand of a military dictator garbed in civilian attire."

Following the same line the National Committee of the Communist Party issued a statement on June 23, 1953, signed by William Z. Foster, Elizabeth Gurley Flynn and Pettis Perry charging that the Rosenbergs were "foully murdered by the joined forces of President Eisenhower, Attorney General Brownell and J. Edgar Hoover." In the accusation, the Communist leaders called for a

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"halt to the Hitlerization of America by the Eisenhower - Brownell - John Edgar Hoover forces," who were described as working hand-in-glove with a "swastika-minded" Senator Joseph McCarthy and "his goons." The Communist Party statement charged that the Rosenbergs were "brutally murdered by an act of Fascist violence" and described the Rosenberg trial as a mockery of truth and justice. The U.S. Supreme Court, the statement contended, was illegally reconvened to take up the stay of execution granted to the Rosenbergs by Mr. Justice Douglas and "it met with a pistol to its head in the form of impeachment threats, in an atmosphere of a Southern lynch town."

Thus ended the largest Communist-inspired propaganda and pressure campaign in our Nation's history to save two Communist spies. Now that the Rosenbergs are dead, world Communism will probably continue its propaganda campaign to martyrize them as victims of "American Imperialism."

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VI.

Chronology of Court Action

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PART VI

CHRONOLOGY OF COURT ACTION

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1. On April 5, 1951, Judge Irving R. Kaufman, District Judge, Southern District of New York, sentenced Julius and Ethel Rosenberg to death, and Morton Sobell to thirty years' imprisonment. The execution date was set for the week of May 21, 1951. However, the execution was stayed when a notice of appeal filed in the Circuit Court, was served on the warden of Sing Sing Prison on 4-11-51. (65-58236-1056)

2. On April 23, 1951, an application for a writ of habeas corpus was filed before District Judge John C. Knox, United States District Court, Southern District of New York, in which it was requested that Ethel Rosenberg be moved from the condemned cells at Sing Sing Prison, Ossining, New York. The application claimed that such incarceration was cruel and inhuman treatment and further that she had been put in that prison in order to separate her from her husband, Julius, and force her to cooperate with the Government. The hearing was continued before District Judge Henry W. Goddard, who on June 22, 1951, denied the application. In denying this application, Judge Goddard stated as follows: "The Attorney General may transfer a convict from a Federal to a State prison without notice to or consent of the convict. No evidence was presented to support the relator's allegations in her petition that she was transferred there in an effort to 'break' her or that the Attorney General exercised his discretion for an ulterior purpose or in any but a lawful manner. Indeed, the initiative for her transfer did not come from the Attorney General or any of his subordinates. . . The Commissioner of the Department of Correction, City of New York, requested that the Federal authorities transfer her because of the crowded condition of the House of Detention and because of the lack of proper facilities there for the detention of a prisoner awaiting the execution of a death sentence." Judge Goddard then continued, "The relator's second ground for relief is also without merit. The Eighth Amendment was adopted to prevent inhuman, barbarous, or tortuous punishment or some punishment unknown at common law. Section 3566 of Title 18, U.S. Code, provides 'The manner of inflicting the punishment of death shall be that prescribed by the laws of the place within which the sentence is imposed. The United States marshal charged with the execution of the sentence may use available local facilities. . . .'"

Judge Goddard also said, "Apparently the Congress intended that the general provisions quoted and discussed above should apply in this situation. These provisions give the Attorney General

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authority to determine the place of incarceration for all federal prisoners. There is no logical reason why these provisions should not be applicable here."

Judge Goddard concluded, "The relator presented no convincing evidence that her confinement was cruel, inhuman, or unusual. Accordingly, my conclusion is that the relator's transfer to Sing Sing Prison was lawful and that her confinement in the death cell block there is not unusual or cruel and inhuman within the meaning of the Eighth Amendment of the Constitution of the United States."

It is interesting to note that in support of the Rosenbergs' contention that Ethel Rosenberg was placed in Sing Sing Prison in order to cause her to break, the defendants subpoenaed several syndicated newspaper columnists such as Leonard Lyons and Hy Gardner, and questioned them concerning items they had printed in their columns to that effect. Leonard Lyons refused to reveal the source of his information and the question arose as to whether a newspaper writer could claim that the information which he received and printed in his column was of a privileged nature. Judge Knox ruled that as a matter of law in the Federal Courts, such privilege was not ascribed to a newspaper reporter. However, he ruled that in this case Lyons did not have to reveal the source of his information. (65-58236-1116)

3. On November 5, 1951, Emanuel H. Bloch, attorney for the Rosenbergs, filed with the Circuit Court of Appeals, Second Circuit, an appeal brief, the main points of which were (a) the statute under which the Rosenbergs were tried violated the First, Fifth, and Sixth Amendments to the U. S. Constitution for failure to establish sufficiently definite and certain findings of guilt; (b) the conduct of the trial judge deprived the defendants of a fair jury trial; (c) the trial court committed reversible error in admitting certain Government evidence; (d) the sentence imposed by the trial judge constituted cruel and unusual punishment in violation of the Eighth Amendment.

On February 25, 1952, the U. S. Circuit Court of Appeals, Second Circuit, unanimously affirmed the conviction of Julius and Ethel Rosenberg with the opinion written by Judge Jerome Frank. In dealing with the various points raised by the defense counsel, Judge Frank stated "since two of the defendants must be put to death if the judgments stand, it goes without saying that we have scrutinized the record with extraordinary care to see if it contains any of the errors asserted in this appeal."

In dealing with point (a) raised by the defense, Judge Frank stated "the language employed appears sufficiently definite to apprise the public of prohibited activities and is consonant

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with due process." Judge Frank also stated "We think the statute valid under the First Amendment, as well. The communication to a foreign government of secret material connected with the national defense can by no far-fetched reasoning be included within the area of the First Amendment protecting free speech." In commenting on the defendants' attack against the reliability of the Government witnesses, Judge Frank observed as follows: "Doubtless if that testimony were disregarded, the conviction could not stand. But where trial is by jury, this court is not allowed to consider the credibility of witnesses or the reliability of testimony. Particularly, in the federal judicial system that is the jury's province." In further commenting on the testimony of the Green-glasses, Judge Frank remarked that the instructions to the jury of Judge Kaufman that 'In the Federal Court a defendant can be convicted upon the uncorroborated testimony of an accomplice whose testimony satisfied the jury of the defendants' guilt beyond a reasonable doubt,' said "So instructed, the jury found defendants guilty. Faced with such a verdict this Court is obligated to assume that the jury believed the evidence unfavorable to the defendants. On that assumption, the evidence to sustain the verdict is more than ample."

In discussing the defendants' allegations that the trial judge's actions prevented a fair trial, Judge Frank stated "Defendants' counsel first broached this suggestion on a motion for a mistrial after all the evidence had been heard, said that the judge's alleged fault had been 'inadvertent' and added that the judge had 'been extremely courteous to us and afforded us lawyers every privilege that a lawyer should expect in a criminal case.' Soon after the denial of this motion, counsel for the Rosenbergs, summing up for the jury, stated 'we feel that the trial has been conducted. . . with that dignity and decorum that befits an American trial.' Still later, the same counsel said that 'the Court conducted itself as an American judge.' These remarks, by a highly competent and experienced lawyer, are not compatible with the complaints now made. Nor are those complaints deserved. We think the judge stayed well inside the discretion allowed him."

In discussing the effect of evidence introduced to show the defendants expressed a preference for the Russian social and economic organization over ours, and that they were members of the Communist Party, Judge Frank spoke as follows: "We think the evidence possessed relevance. An American's devotion to another country's welfare cannot, of course, constitute proof that he has spied for that other country. But one may reasonably infer that he is more likely to spy for it than other Americans not similarly devoted. Hence, this attitude bears on a possible motive for his spying, or a possible intent to do so when there is other evidence in the case that he did such spying. We have held such testimony

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admissible in a similar case involving espionage for Nazi Germany."

In discussing the testimony of Elizabeth Bentley, Judge Frank stated as follows: "If the jury believed her, she supplied the missing link connecting the Communist Party with the Soviet Union, and making Communist Party membership probative of motive or intent to aid Russia." Judge Frank on this same point continued as follows: "Whether and how much of that kind of evidence should come into a trial like this is a matter for carefully-exercised judicial discretion. We think the trial judge here did not abuse that discretion."

In discussing the testimony of David Greenglass that Julius Rosenberg took a proximity fuse from the Emerson Radio Company, where he worked, and gave that fuse to Russia, Judge Frank stated, "At any rate, the testimony was admissible to show an intent on Julius' part to aid Russia."

In ruling on the defendants' argument that it was an abuse of discretion for the trial judge to impose the death penalty in this case, Judge Frank said: "Unless we are to overrule sixty years of undeviating Federal precedents, we must hold that an appellate court has no power to modify a sentence. . . Further discussion of this subject my colleagues think unnecessary." He then referred to the argument of the defendants that the death sentences in this case violated the Eighth Amendment of the U. S. Constitution which forbids cruel and unusual punishment, and the test urged by the defendants to indicate that a punishment was cruel and unusual was that it shocked the conscience and sense of judgment of the people of the United States. In commenting on this Judge Frank stated "In all likelihood, it would be - - if the evidence was as the Rosenbergs depict it: They say they were sentenced to death, not for espionage, but for political unorthodoxy and adherence to the Communist Party, and that they had only the best of motives in giving information to Russia which, at the time, was an ally of this country, praised as such by leading, patriotic Americans. But the trial judge, in sentencing the Rosenbergs, relied on record evidence which shows a very different picture. If this evidence be accepted, the conspiracy did not end in 1945, while Russia was still 'a friend', but, as the trial judge phrased it, continued 'during a period when it was apparent to everybody that we were dealing with a hostile nation'." Judge Frank pointed to the testimony of Government witnesses indicating that the conspiracy continued up through 1950. Judge Frank continued, "This Court cannot rule that the trial judge should have disbelieved those witnesses whom he saw and heard

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testify. And, although the indictment did not charge, and therefore the jury did not find, that the Rosenbergs intended to harm the United States, the trial judge could properly consider the injury to this country of their conduct, in exercising his discretion as to the extent of sentences within the statutory limits."

With regard to the test suggested by the defendants, Judge Frank stated "Assuming the applicability of the community-attitude test proposed by these defendants, it is impossible to say that the community is shocked and outraged by such sentences resting on such facts. In applying that test it is necessary to treat as immaterial the sentences given (or not given) to the other conspirators, and also to disregard what sentences this Court would have imposed or what other trial judges have done in other espionage or treason cases, for such matters do not adequately reflect the prevailing mood of the public. In short, it cannot be held that these sentences are unconstitutional." (65-58236-1288)

4. On March 11, 1952, a petition for rehearing was filed on behalf of the Rosenbergs with the Circuit Court of Appeals, Second Circuit. In this petition the same points raised in the prior petition to the Circuit Court of Appeals were raised with the additional argument that the defendants actually were tried for treason without the constitutional safeguards surrounding that crime and further, inasmuch as the Courts can give a death sentence for treason, to give the same sentence for a lesser crime constituted cruel and unusual treatment. (65-58236-1288)

On April 8, 1952, the Circuit Court of Appeals for the Second Circuit unanimously denied this petition for a rehearing. The opinion of the Court was written by Judge Frank. In this opinion Judge Frank stated ". . . in the Rosenbergs' case, an essential element of treason, giving aid to an 'enemy,' is irrelevant to the espionage offense." In discussing the defendants' argument concerning cruel and unusual punishment, Judge Frank ruled "This argument, we think, involves an unfounded assumption, i.e., that Congress will always authorize the death sentence for treason. Without that assumption the argument would compel the strange conclusion that if Congress in its discretion, authorized a maximum twenty-year penalty for treason, no greater punishment could be given for espionage, sedition, or a similar crime without 'its becoming cruel and unusual.'" (65-58236-1258, 1298)

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5. On October 13, 1952, the United States Supreme Court denied a petition for a writ of certiorari filed on behalf of Julius and Ethel Rosenberg. At the same time, an application of the National Lawyers Guild for leave to file a brief as amicus curiae was denied by the Supreme Court. (65-58236-1364)

6. On October 28, 1952, a petition for a rehearing on behalf of the Rosenbergs was filed with the United States Supreme Court. The points raised on this petition were that the Rosenbergs were subjected to a treason prosecution under color of a charge of conspiracy to commit espionage and that the admission of evidence concerning the Communist affiliations of the Rosenbergs was highly inflammatory and prejudicial and that the death sentences were based on untrue assumptions on the part of Judge Irving Kaufman. The petition also claimed that the Supreme Court had the power to modify, vacate or set aside the death sentences imposed by Judge Kaufman. On November 17, 1952, the United States Supreme Court denied the petition of the subjects for a rehearing by a vote of eight to one. Mr. Justice Frankfurter filed a memorandum opinion in which he stated that the Supreme Court of the United States had no power to change a sentence imposed in the United States District Court. He stated it was primarily the responsibility of the Circuit Court of Appeals to review the record of a trial in a district court and that in the case of the Rosenbergs the "Circuit Court of Appeals for the Second Circuit was deeply conscious of its responsibility in this case." (65-58236-1133)

7. A petition was filed by the defendants under Section 2255, Title 18 of the United States Code to vacate the convictions and stay the execution of the Rosenbergs. This petition was referred to Federal Judge Sylvester J. Ryan of the Southern District of New York, who on December 10, 1952, denied the petition of the defendants to set aside their convictions. The various grounds listed by the defendants were substantially as follows:

- a. Pretrial and trial publicity including press releases precluded the defendants from having a fair trial.
- b. The arrest of William Perl and publicity therefrom during the defendants' trial prejudiced their case.
- c. The Government knowingly used false testimony of David Greenglass at the trial.

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d. Government witness Ben Schneider perjured himself in stating that he had not seen the Rosenbergs from the time he took their photograph until the time of his appearance as a witness at the trial, inasmuch as Schneider had been brought into the court by the Government to identify the Rosenbergs the day before he testified.

e. The Government falsely classified atomic data as being secret.

In an affidavit filed in opposition to this motion as an answer to the claim that pretrial and trial publicity precluded the defendants from having a fair trial, Myles J. Lane, United States Attorney for the Southern District of New York, stated:

"Counsel for the Rosenbergs at the trial who, incidentally, is the very same counsel making the moving petition on the instant application, stated in open court after the jury had returned its verdict of guilty as to each of the defendants as follows: 'A lawyer does not always win a case; all that a lawyer expects is a jury to decide the case on the evidence with mature deliberation. I feel satisfied by reason of the length of time that you took for your deliberations, as well as the questions asked during the course of your deliberations that you examined very carefully the evidence and came to a certain conclusion.' The Rosenbergs counsel on summation stated: 'We feel that the trial has been conducted and we hope we have contributed our share with that dignity and decorum that befits an American trial.'"

(65-58236-1348)

In his opinion dated December 10, 1952, Judge Ryan stated as follows: "I find no relevant or material issue of substance raised by the petitions, which requires a hearing thereon or which renders the taking of oral testimony either necessary or helpful. I have concluded, after affording the attorneys for petitioners full opportunity to argue the legal problems presented by the petition and to make proffers of proof, that the petitioners are entitled to no relief, that the court which rendered judgment had jurisdiction, that the sentences imposed were authorized by law and are not otherwise open to collateral attack on any of the grounds urged by the petitioners, and that full and complete enjoyment of the

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constitutional rights of petitioners has been extended them and has in no way been denied or infringed. These petitions were filed twenty months after the verdict of guilty was returned by the jury, following a trial which petitioners' attorneys stated, 'had been conducted...with that dignity and that decorum that befits an American trial' and that defense counsel had been afforded 'every privilege that a lawyer should expect in a criminal case.'

With regard to the pretrial publicity, Judge Ryan reasoned as follows:

"A reading of the newspaper articles submitted by the petitioners reveals nothing of an unusual or inflammatory character. The articles seem but a fair response to a legitimate public interest in a matter of vital concern to all.... The accounts of the arrests and subsequent indictments of petitioners tended to allay a public anxiety and to give assurance that those charged with the protection of vital information were alert and diligent in the performance of their obligations."

In further discussing this point, Judge Ryan stated: "The trial began on March 6, 1951, shortly less than seven months after the arrest of Sobell, the last defendant to be taken into custody. Any public prejudice which might be ascribed to newspaper publicity incident to the arrest of these defendants had long since been dissipated among the populace of the area from which the talesmen were drawn - an area where occurrences no matter how sensational lose their news value and no longer attract public interest after a much shorter space of time than seven months."

In discussing the publicity attending the indictment and arrest of William Perl which occurred during the trial, Judge Ryan remarked, "There was nothing unusual in the procedure followed." Judge Ryan further stated, "By affidavit, the United States Attorney now reveals that it was not until March 6, 1951, that he came into possession of evidence sufficient in law to sustain Perl's indictment for perjury. This satisfactorily explains why Perl was not indicted until March 13, 1951, for perjury alleged to have been committed on August 18, 1950, and on September 11, 1950. The United

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States Attorney further states that the Perl indictment has not yet been brought to trial because of a purpose on his part to prevent disclosures which would interfere with other prosecutions. I may not on this hearing pry into the reasons which prompted the prosecutor to adjourn the trial of the Perl indictment. I accept the explanation given; certainly the delay does not warrant drawing the inference which the petitioners press. Again, as to the indictment of Perl, there is not the slightest proof that any of the trial jurors read of the arrest or indictment of Perl or that it came to their attention in any manner. A defendant may not demand that the machinery of law enforcement be stopped while his trial proceeds, or that the prosecution of others, who, as he, are charged with violating the law, be held in abeyance until his trial has been completed."

With regard to the Defense allegation that the Government knowingly used false testimony of David Greenglass at the trial, Judge Ryan stated as follows:

"When he (Greenglass) was pressed on the trial as to the exact time when he had said he would make the statement, Greenglass testified 'You can't pinpoint me on when I said I was going to give a statement, because I don't remember those things.' Questioned further on the subject he added that he hadn't 'read the statement since and I certainly don't know exactly what I put in it' but he added that he hadn't 'conscientiously' withheld any facts that night and that the statement he had then made was substantially the same as his testimony in the trial. At no time did petitioners' attorney call for the production of the statement, or ask the trial judge to examine it for the purpose of determining whether it did, in fact, contain statements contradictory to the testimony he had given on the trial. No request was made for a direction that the statement be delivered to the petitioners' attorneys for use on their extensive and searching cross-examination of Greenglass." Judge Ryan added, "I do not have to consider the affidavits of Special Agents Lewis and Frutkin to arrive at a finding that there is no factual basis for inferring that Greenglass'

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testimony was perjurious or 'that it was knowingly, willfully and intentionally used.' Full opportunity during trial was available to petitioners' attorney to demand at least a preliminary examination of Greenglass' statement; no such application was made. I do not feel called upon to now examine the statement on the flimsy showing made."

With reference to the Defense contention that it was improbable Greenglass could have reproduced from memory sketches of the lens mold and the cross section of the atomic bomb which were introduced as evidence during the trial, Judge Ryan opined, "Petitioners now submit affidavits from three individuals, represented as experts in the field of physics, who express the opinion that it is 'improbable' that Greenglass could have reproduced the sketches from memory. A fourth affidavit from a scientific writer or correspondent for a newspaper records his opinion as to the 'impossibility' of Greenglass' being able to make these sketches from memory. It is upon these 'opinions' that petitioners would have me find that Greenglass gave perjurious testimony concerning the circumstances surrounding the drawing by him of these exhibits. None of these four affiants could possibly have seen exhibit B, which had been impounded."

Exhibit B, referred to by Judge Ryan, was a sketch of a cross section of the atomic bomb prepared by Greenglass and which Greenglass testified to as being a recollection of a sketch he furnished to Rosenberg in September, 1945.

Judge Ryan also said, "Opinion evidence when offered by one who has neither observed the witness while he testifies nor ever seen him is inadmissible on any trial and may not be considered by me as the basis for a conclusion that perjury was committed."

The Defense also contended that the testimony of Ben Schneider, Government rebuttal witness, was perjurious. Regarding this point, Judge Ryan stated, "It is not disputed that on the day prior to Schneider's testimony he had been brought into the trial courtroom for the purpose of seeing whether he could identify Rosenberg as the person whose photograph he had taken. There was no motive for falsehood on the part of Schneider and there is not the slightest

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evidence that Schneider's testimony on this was intentionally false. I hold it to be on an immaterial point because the petitioners Rosenberg did not deny on cross-examination prior to Schneider's appearance as a witness that they had been in Schneider's store."

Judge Ryan continued:

"The vital portion of Schneider's testimony was his recollection of what Julius Rosenberg had told him; on that a sharp issue was raised and it appears from the verdict to have been resolved by the Jury adversely to the petitioners. The challenge now made to Schneider's testimony does not stamp him as a perjurer."

Regarding the defendant's claim that the information which they conspired to transmit should not have been classified secret, Judge Ryan said:

"They (defendants) contend that there was nothing informative or new about the details of the high-explosive lens used in atomic weapons, that the theory underlying the use of the lens and implosion has been known for many years. They have listed the names and authors of various treatises and texts in the field of nuclear physics, and from this would have me conclude that the experimentation in the use of the atomic bomb which was disclosed was a matter of public knowledge... Certainly, we cannot say that in the United States this information has been made public, nor can we assume that 'it has become available in one way or another to any foreign government.' Petitioners offer no evidence to support their contention that the classification of this information was arbitrary, or that the United States Government had information which would have led it to believe it was well-known."

Judge Ryan also opined: "The claim now made by petitioners cannot be said to constitute newly-discovered evidence. The very basis of their argument that prior knowledge of this use of atomic energy is revealed by the recorded experiments and treatises of numerous physicists was evidence available to them during the trial and an issue which could have been presented then and considered by the jury in its determination of the nature of the information which petitioners conspired to transmit. This issue of fact was presented to the jury by the trial judge; it was resolved against the petitioners; it may not be retried on this application." (65-58236-1432)

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8. On December 31, 1952, the Circuit Court of Appeals, Second Circuit, unanimously affirmed the order of Judge Ryan, United States District Court, dismissing the defendants' motion under Section 2255. The opinion in the Circuit Court of Appeals was written by Chief Judge Thomas Swan.

In discussing the alleged prejudicial newspaper publicity, Judge Swan stated, "When a defendant believes that pre-trial publicity has been such as to render impossible the selection of an impartial jury, there are well-recognized methods of raising this issue before the trial commences. He may move for a change of venue or for a continuance until the public clamor shall have subsided. The petitioners took neither of these courses. On the voir dire the prospective jurors were carefully questioned as to whether they had read or heard about the case and a jury was selected satisfactory to the defendants, who did not even use all the peremptory challenges permitted them. Nor do they allege that any trial juror was, in fact, prejudiced by the publicity now asserted to have made a fair trial impossible. Their present position is obviously an afterthought inspired by the hope of securing a new trial after having exhausted all hope of reversing the verdict by appeal and petitions for certiorari. The excuse offered by counsel for the Rosenbergs is that he did not realize at the trial the extent and the inflammatory character of the publicity as it could not have been revealed to him 'by the usual sporadic reading of an average newspaper reader,' and he was so busy that he 'read the newspapers' infrequently. But if he did not realize it, there is no reason to suppose that the jury was more seriously affected."

In further discussing the matter of publicity, Judge Swan said, "The best that can be said in the instant case is that, at the time of trial, astute counsel decided that the publicity did their clients no harm, and now want this court to decide otherwise."

In discussing the effect of the Perl indictment and the statements made by the United States Attorney to the press that Perl had been listed as a witness in the Rosenberg trial, Judge Swan stated, "But the essence of the wrong done the petitioners does not lie in the intent of the prosecutor but in the prejudicial publicity which may come to the attention

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of the jury. When publicity believed to be prejudicial occurs during a trial, the defendant may move for a mistrial or may request the trial judge to caution the jury to disregard it. In this case the defendants did neither....This was their deliberate choice after conferring with the judge out of the presence of the jury."

With regard to the alleged use by the Government of perjurious testimony, Judge Swan opined, "There are three specifications. The first relates to Greenglass' testimony that on the night of his arrest he did not withhold any facts from the FBI. When he was sentenced on April 6, 1951, the day after the petitioners' sentences, the United States Attorney stated to the court 'Mr. Rogge protested his innocence' at the arraignment. 'Through Ruth Greenglass, his wife, came the subsequent recantation of these protestations, and repudiation of the disclosures of the facts by both of them.' On the basis of this statement the petitioners argue that the testimony was false and known to be false by the prosecuting officer. Judge Ryan said that when read in context with all the proceedings on April 6 he did not regard it as an admission that Greenglass had committed perjury and that there was no factual basis for inferring that perjurious testimony had been knowingly used. We agree. It is notable that petitioners made no mention of these facts on their previous appeal although then well aware of them."

In dealing with the allegations that David Greenglass could not have prepared sketches from memory and hence his testimony was false, Judge Swan stated, "This is nothing new, for at the trial, the defendants, on cross examination, had brought out the details of Greenglass' education, with the patent purpose of persuading the jury that he had lied. In support of their renewed assertion of his perjury, defendants.....presented the affidavits of four scientists who expressed the opinion that Greenglass, with his limited education as shown at the trial could not have made the sketches from memory. Since none of them knew Greenglass, none was in a position to give an opinion about the quality of his memory which, no matter what his education, may have been amply sufficient for this purpose....The affidavits bear solely on the credibility of his testimony and that issue was properly submitted to the trial jury for decision."

Regarding the testimony of Ben Schneider, Judge Swan said, "Judge Ryan was correct in ruling that there was not the slightest evidence that Schneider's testimony was

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intentionally false and that in any event it was on an immaterial point, i.e., identification of the Rosenbergs as persons whose pictures he had taken, since the Rosenbergs had not denied that they might have gone to his shop for that purpose, although Julius Rosenberg categorically insisted that they were not passport pictures."

With regard to the defendants' claim that the information transmitted should not have been classified secret, Judge Swan stated, "The petitioners next point is that their conviction should be set aside because one item of information classified as secret which they were charged with having conspired to transmit to Russia, was so generally known that transmitting it was not forbidden by the Espionage Act. This matter was thoroughly discussed by Judge Ryan. We have nothing to add to his opinion except to say that *United States v. Heine*, 2 Cir., 151 F. (2D), 613, upon which the appellants rely is so different in its facts as to be completely inapposite."

As to the questions advanced by defendant Morton Sobell that he should have been tried under the treason clause of the Constitution rather than the Espionage Act, Judge Swan opined, "It was raised before the Supreme Court in the petition for rehearing which was denied. Assuming without decision that nevertheless it may now be read in its present form by a motion under Section 2255, we hold that it is without merit." (65-58236-1406)

9. On January 2, 1953, Judge Irving R. Kaufman, District Court, denied the application of Julius and Ethel Rosenberg for clemency. In the course of his opinion, Judge Kaufman stated as follows:

"In response to this application, I have not only heard counsel at great length and studied the defendants' petition, but also have re-studied the voluminous record of the trial and refreshed my recollection of the demeanor of the witnesses. Re-examining the question de novo, I am again compelled to conclude that the defendants' guilt - as found by the unanimous verdict of the jury - was established beyond doubt. None of the so-called later discoveries or revelations which counsel contend created doubt of guilt touch the basic matters disclosed by the testimony of Ruth and David Greenglass,

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Max Elitcher, Ben Schneider, and the other Government witnesses, which the jury chose to believe and which points unmistakably to the full and conscious participation of the defendants in this conspiracy. On this application baseless charges of perjury have been hurled at several Government witnesses. The jury has already decided this question to the contrary, so did my colleague Judge Ryan, so did the United States Court of Appeals. I am also convinced that these witnesses told the truth. Therefore, we observe several judicial determinations attesting to the credence of the challenged Government witnesses."

Judge Kaufman continued, "The issue which now confronts this Court, therefore, is whether, assuming the guilt of the defendants, and the overwhelming character of the evidence renders such assumption inescapable, there nevertheless exist other considerations which would warrant reduction of the sentence."

Judge Kaufman also stated, "The Court, however, has had a solemn trust placed in its hands by the people of this land and I am convinced that any change of these sentences by this Court, in the light of the evidence adduced in this case, would be a violation of that trust. Devotion to duty and justice must prevail over action which could be attributable only to the emotions."

Judge Kaufman also opined, "The Rosenbergs were not minor espionage agents; they were on the top rung of this conspiracy. Julius had direct contact with the representative of the foreign Government, to wit, Yakovlev, a Russian vice-consul in New York City. He had contacts with other representatives of the U.S.S.R. He dispersed large amounts of Russian espionage funds - for example, the \$5,000 given to Greenglass to flee the jurisdiction. He was always the principal recruiter for scientists and technicians and the guiding spirit of the conspirators. And at all times Ethel Rosenberg, older in years and wise in Communist doctrine, aided and abetted and advised her husband."

In discussing the letters received urging judicial clemency Judge Kaufman said as follows: "In the many letters urging judicial clemency, which have been submitted to this

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Court, the overwhelming preponderance of which are in response to a self-serving solicitation by counsel for the Rosenbergs, it has frequently been urged that the sentences were unprecedented, being the first such sentences imposed for peacetime espionage. I hasten to correct this misapprehension and emphasize, therefore, that the sentences were not imposed for peacetime espionage but for wartime espionage. This Court would not have the power to impose these sentences for peacetime espionage. The letters referred to, for the greater part, indicate that the writers have never read the record, are unfamiliar with the facts in the case, or have been misinformed concerning them. Some of these writers do not hesitate to pass judgment on the credibility of witnesses even though they have not observed them on the witness stand, a basic essential to judging credibility. They nevertheless assume the role of a super-jury, sitting in absentia."

In discussing the seriousness of the crime committed by the Rosenbergs, Judge Kaufman said, "Is the act not perhaps more treacherous and reprehensible when our own fellow Americans, decide to traffic in our deepest military secrets and to transfer the information concerning these secrets to a foreign power while we are engaged in war; then continue to traffic in our military secrets when this allegedly friendly country becomes hostile to us and engages in a cold war with America? We can expect citizens of a foreign nation to do everything to benefit their country, but we have a right to expect Americans not to enlist in a conspiracy to destroy their own country."

In answer to the defense contention that Russia was our ally at the time this crime was committed, Judge Kaufman stated, "But the Rosenbergs urge that Russia was our ally in 1944 and 1945 and hence this Court in imposing sentence was using hindsight. To accept this contention is to approve the theory that this is not a Government of responsible civil and military leaders, charged with the duty of determining what military secrets are to be given to a foreign power, but that the decision rests with any individual who might be disgruntled with the determination made by our leaders on matters affecting our security. Such a Government, it is obvious, could not long exist."

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In dealing with the defendants' contention that Russia was a friendly country at the time of the transmission of information Judge Kaufman said, "Furthermore, Congress wisely did not distinguish between a friendly or an enemy country in prescribing punishment for acts of espionage. The law was intended to protect and to keep inviolate our military secrets from all foreign powers." Continuing, Judge Kaufman stated, "What right have these defendants now to cry, 'Russia was our ally,' when they were the very ones caught with their hands in our pockets trying to filch from their own country this weapon which, were its secret inviolate, might have been crucial in maintaining peace with the post-war world. It is apparent that Russia was conscious of the fact that the United States had the one weapon which gave it military superiority and that, at any price, it had to wrest that superiority from the United States by stealing the secret information concerning that weapon. The tragedy of it is that it was successful."

In answer to the defendants' claim that the information which allegedly was transmitted was not secret, Judge Kaufman stated as follows:

"The defendants contend that the acts of which they have been found guilty were not detrimental to the United States or of benefit to the Soviet Union, because the information which was transmitted to the Russian agents was not secret but was available in publicly distributed scientific periodicals. But it is ludicrous to assert that the defendants' elaborate precautions to escape detection and the furtive conduct which characterized all their acts as members of the Soviet-run espionage ring were directed at the attainment of information already in the public domain."

With relation to the sentences passed on other conspirators in this conspiracy and on other persons convicted of espionage, Judge Kaufman said, "It has also been urged that others have received lesser sentences. Indeed, this Court imposed a lesser sentence upon the co-conspirator, David Greenglass. There are several answers to this. The degree of implication of each conspirator and his subsequent aid to the Government in ferreting out co-conspirators must be

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considered. Julius and Ethel Rosenberg were the prime movers in this conspiracy; into it they sucked David and Ruth Greenglass....Not of little importance in connection with the Greenglass sentence, is the cooperation which the Government received from him, a factor which I publicly stated at the time of his sentence deserved consideration from the Court....Neither defendant has seen fit to follow the course of David Greenglass and Harry Gold. Their lips have remained sealed and they prefer the glory which they believe will be theirs by the martyrdom which will be bestowed upon them by those who enlisted them in this diabolical conspiracy (and who, indeed, desire them to remain silent). Harry Gold received the maximum prison sentence of 30 years....Gold has been a most cooperative and penitent witness since his apprehension....Klaus Fuchs received the maximum prison sentence under the English law and his cooperation is now a matter of record....It should be noted that Fuchs was not convicted of violating an espionage statute but of violating an act known as the Official Secrets Act. To be bound by the sentences imposed on Fuchs and Alan Nunn May, would be to say that this country has no right to pass its own laws to deal with offenses as its Congress determines but must blindly follow the law of a foreign nation even though it materially differs from our own. Of course, both Fuchs and May plead guilty."

Judge Kaufman also 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, a devotion which has caused them to choose martyrdom and to keep their lips sealed. The defendants, still defiant, assert that they seek justice, not mercy. What they seek, they have attained. Despite this, I must nevertheless consider whether they are deserving of mercy. While I am deeply moved by considerations of parenthood and while I find death in any form heart-rending, I have a responsibility to mete out justice in a manner dictated by the statutes and interests of our country. My personal feelings or preference must be pushed aside for my prime obligation is to society and to American institutions. The families of these defendants are victims of their infamy, but I am mindful that countless other Americans may also be victims of that infamy. The defendants were not moved by any

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consideration of their families and their children in committing their crimes, but have urged such consideration upon the Court in order to make more difficult an already difficult task."

In summing up, Judge Kaufman stated, "So, we observe, that it is over one year and nine months since this Court discharged the unpleasant duty of sentencing these defendants. During that time, their appeal has been carried from this Court through all the appropriate Appellate Courts and the sentence and judgment have not been disturbed. No legal recourse has been denied the defendants. Through all of this no other court has been able to find a reversible error or the legal justification to set aside the sentence."

In rendering his decision on this motion, Judge Kaufman said, "I have meditated and reflected long and difficult hours over the sentence in this case. I have studied and re-studied the record and I have seen nothing nor has anything been presented to me to cause me to change the sentence originally imposed. I still feel that their crime was worse than murder. Nor have I seen any evidence that the defendants have experienced any remorse or repentance. Unfortunately, in its place, this Court has been subjected to a mounting organized campaign of vilification, abuse, and pressure. This Court, however, is not subject to such organized campaign and the pressures which have been brought to bear in this case, nor does it require such techniques to make it cognizant of the human tragedy involved. The application is denied."

10. On January 6, 1953, an order was signed by District Judge Irving R. Kaufman, Southern District of New York, and consented to by Emanuel H. Bloch, Attorney for the Rosenbergs, and Myles J. Lane, U. S. Attorney, Southern District of New York. This order granted a stay of execution of the defendants which had been set for the week of January 12, 1953, with the conditions that on or before January 10, 1953, an affidavit of counsel for the defendants be filed attesting that a petition for executive clemency was duly filed for submission to the President and further that the stay was being granted for the sole purpose of permitting the

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President to pass upon the defendants' plea for executive clemency. Further if any action was to be taken or legal proceeding instituted which caused delay or interfered with the expeditious processing of the said application for executive clemency, the stay would be vacated. The order further contained a provision that the stay granted would expire five days after the determination by the President upon the petition for executive clemency. (65-58236-1393)

11. On February 11, 1953, President Dwight D. Eisenhower denied the petition for executive clemency filed by the Rosenbergs. In denying this petition, President Eisenhower stated, "These two individuals have been tried and convicted of a most serious crime against the people of the United States. They have been found guilty of conspiring with intent and reason to believe that it would be to the advantage of a foreign power, to deliver to the agents of that foreign power certain highly secret atomic information relating to the national defense of the United States. The nature of the crime for which they have been found guilty and sentenced far exceeds that of the taking of the life of another citizen; it involves the deliberate betrayal of the entire nation and could very well result in the death of many, many thousands of innocent citizens. By their act these two individuals have, in fact, betrayed the cause of freedom for which free men are fighting and dying at this very hour."

President Eisenhower continued, "The courts have provided every opportunity for the submission of evidence bearing on this case. In the time-honored tradition of American justice, a freely selected jury of their fellow citizens considered the evidence in this case and rendered its judgment. All rights of appeal were exercised and the conviction of the trial court was upheld after full judicial review, including that of the highest court in the land. I have made a careful examination into this case, and I am satisfied that the two individuals have been accorded their full measure of justice. There has been neither new evidence nor have there been mitigating circumstances which would justify altering this decision and I have determined that it is my duty in the interest of the people of the United States, not to set aside the verdict of their representatives."
(65-58236-Sub A8)

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12. On February 11, 1953, the Circuit Court of Appeals, Second Circuit, granted a stay of execution for the Rosenbergs until March 30, 1953, in order to allow them to appeal to the Supreme Court of the United States. No written decision accompanied this stay. The execution date had been set for March 9, 1953. (65-58236-Sub A8)

13. On May 25, 1953, the United States Supreme Court denied without opinion an application for a writ of certiorari requested by the defendants. (65-58236-1662)

14. On May 25, 1953, the United States Supreme Court vacated the stay of execution which was granted by the Circuit Court of Appeals on February 17, 1953. (65-58236-1663)

15. On May 26, 1953, the United States Supreme Court denied a motion filed by the defendants requesting the Court to stay action on their petition for a writ of certiorari which was denied May 25, 1953. This stay was requested to allow filing of an amended application for a writ of certiorari. (65-58236-1690, 1667, 1664)

16. On May 29, 1953, District Judge Irving R. Kaufman set the date of execution of the Rosenbergs for the week of June 15, 1953. The usual execution date at Sing Sing Prison is Thursday night which meant the Rosenbergs were scheduled to die June 18, 1953. (65-58236-1677)

17. On June 1, 1953, Judge Irving R. Kaufman denied a motion made on behalf of the Rosenbergs to set aside the death sentences. On this motion Emanuel Bloch, attorney for the Rosenbergs, 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. Based on this assumption, Bloch alleged that the sentence should not have been more than twenty years. In opposition to this motion, United States Attorney Edward J. Lumbard argued that the indictment clearly showed the Rosenbergs were charged with an offense punishable by death. In denying this motion, Judge Kaufman said that Bloch's application was transparent and without any merit whatever. He stated that if he were to make a guess, twenty-five carefully-planned points of law had been raised in the Court in the two years and two months since the conviction and that this was the first occasion on which this

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particular point had been submitted. He stated that the words "then and there being at war" appeared in the indictment which clearly showed to the defendants that they were charged with having conspired in wartime to transmit information. (65-58236-1688)

18. On June 2, 1953, the Circuit Court of Appeals, Second Circuit, denied a motion by the defendants for a writ of mandamus ordering District Judge Kaufman to reduce the sentences. The basis for this motion was that Judge Kaufman had considered the following factors in sentencing the Rosenbergs: (a) the Rosenbergs' devotion to Soviet Russia; (b) Judge Kaufman classified the Rosenbergs as traitors, whereas, they were not charged as traitors; (c) the Rosenbergs had an intent to injure the United States, whereas, the indictment charged transmittal of information for the advantage of a foreign country; and (d) the death sentence was used by Judge Kaufman in an attempt to coerce a confession from the Rosenbergs.

19. On June 5, 1953, the Circuit Court of Appeals, the Second Circuit, denied a motion for a stay of execution which was requested to give the defendants time to appeal to the United States Supreme Court from the denial by the Circuit Court of the defendants' motion for a writ of mandamus. In denying this motion, Judge Swan of the Circuit Court instructed Emanuel Bloch that this motion should properly be filed with the United States Supreme Court.

20. On June 5, 1953, the Circuit Court of Appeals, the Second Circuit, affirmed the action of Judge Kaufman in which he denied a motion for reduction of sentence on June 1, 1953.

21. On June 8, 1953, the defendants' motion for a new trial under Rule 33 and for vacating and setting aside the death sentences under Section 2255, Title 18, United States Code, was argued before Judge Irving R. Kaufman. The basis for this motion was based on two general grounds: (a) newly discovered evidence and (b) the prosecuting authorities had knowingly used perjury testimony to convict the Rosenbergs. Emanuel Bloch, defense attorney, argued that the Greenglass testimony relating to the console table allegedly given to the Rosenbergs by the Russians was false; further that

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statements the Greenglasses had made to their attorneys contradicted the testimony they had given at the trial. Bloch also argued that a deal had been made between the Government and the Greenglasses in return for their testimony and that the theft of uranium by David Greenglass from Los Alamos was proof that he was engaged in independent espionage and that in order to save himself from prosecution for that theft he falsely involved the Rosenbergs.

It is noted that David Greenglass testified at the trial that the Rosenbergs had a console table which Julius said had been given to him by the Russians. Greenglass further testified that the table had been hollowed out and was used by the Rosenbergs for photographic purposes. Bloch claimed to have recently located the console table in the home of Mrs. Sophie Rosenberg, mother of Julius Rosenberg, and that it was not hollowed out or altered in any way. Bloch also presented an affidavit from a furniture buyer at Macy's Department Store, which affidavit stated that the photograph of this table resembled a type of table possibly sold by Macy's in 1944 or 1945 for \$19.97. Bloch attributed significance to this affidavit because Rosenberg had testified that he purchased the console table at Macy's Department Store for about \$21.

In regard to the theft of uranium, David Greenglass admitted to FBI agents on March 25, 1953, that he had stolen a sample of uranium from Los Alamos while he was stationed there but had thrown it into the East River. Greenglass said he took this as a souvenir and that all members of the Rosenberg family were aware of this fact.

Judge Kaufman gave an oral opinion in which he denied the Rosenbergs' motion 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 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 Joseph Fontana, furniture buyer at Macy's, were from relatives and further that at the

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trial Mrs. Evelyn Cox, former domestic employed by the Rosenbergs had testified that Ethel Rosenberg told her the table was a belated wedding gift from a friend. Judge Kaufman also noted that Julius Rosenberg had denied that the table was a gift in his testimony. He said that, assuming the table was purchased from Macy's Department Store, it did not resolve the conflict and that the identity of the vendor was not important but that the use of the table was important. Judge Kaufman 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, he stated 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. Judge Kaufman also noted that Leon Summit of the "National Guardian," weekly newspaper, had no trouble in locating the table. He pointed out that the information concerning the table furnished by the Greenglasses came in response to questions concerning gifts to Julius Rosenberg from the Russians and the testimony concerning the table played an infinitesimal part in the trial. Judge Kaufman 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 at that time; that since the Rosenberg family was available now, 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 it was clear the statements referred to general information supplied by David Greenglass to his attorney concerning statements he had furnished to the

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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 2255, 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 5 points that have to be showed, as set forth in the "On Lee Case," namely, that the (a) evidence is newly discovered; (b) diligence of the defendants; (c) evidence is not cumulative or impeaching; (d) evidence is material; and (e) evidence is of such a nature that on a new trial the newly discovered evidence would probably produce an acquittal. Judge Kaufman noted that not one Government witness had recanted. He stated the guilt of the defendants was established overwhelmingly and the present alleged evidence did not in any way diminish the strength of the Government's case. Judge Kaufman denied the motion for a new trial, as well as a stay of execution requested by the defendants. (65-58236-1699)

22. On June 9, 1953, Emanuel Bloch appeared before the United States Court of Appeals, Second Circuit, and requested a stay of execution pending an appeal to that court of Judge Kaufman's denial for a new trial and arrest of judgment dated June 8, 1953. The court refused to grant a stay. (65-58236-1709)

23. On June 11, 1953, Circuit Court of Appeals, Second Circuit, affirmed Judge Kaufman's denial of defendants' motion for a new trial. The Circuit Court also denied the defendants' application for a stay of execution. This action was taken without opinion. (65-58236-1746)

24. On June 13, 1953, one Fyke Farmer, attorney, submitted a 60-page petition for a writ of habeas corpus before Judge Edward Dimock, District Judge, Southern District of New York, requesting the release of Julius and Ethel Rosenberg.

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It is noted that Farmer had attempted, in the past, to file papers in the Rosenberg case. He was described as an attorney from Tennessee who had interested himself in the case and who claimed to have attempted to have Bloch bring up certain points of law. Farmer indicated that Bloch had refused to follow his advice and, therefore, he, Farmer, was acting as an independent attorney. One of the points raised by Farmer on this motion was that the Rosenbergs were denied a fair trial, inasmuch as Exhibit 8 was impounded at the trial and witnesses were excluded. (It is noted that Exhibit 8 was the sketch prepared by David Greenglass of the atomic bomb. It should also be noted that this exhibit was impounded, and the witnesses were excluded on motion of defense counsel during the trial.) Farmer also raised the point that the Rosenbergs should have been sentenced under the Atomic Energy Act of 1946 instead of the Espionage Act and that pursuant to the terms of the Atomic Energy Act they could not have received a death sentence unless the jury so recommended. This motion was referred to Judge Kaufman. On June 15, Judge Kaufman denied the motion filed by Fyke Farmer. In denying this motion Judge Kaufman stated as follows: "The defendants have been represented throughout this litigation by counsel of their own choice, Mr. Emanuel H. Bloch. One Irwin Edelman of Los Angeles, California, the petitioner, represented by one Fyke Farmer of Tennessee and two other lawyers strange to this litigation, seeks a writ of habeas corpus on behalf of Julius and Ethel Rosenberg. The papers submitted show not only no authorization for the petitioners to act, but it is quite clear that the petitioner and his counsel are nothing short of intruders and interlopers in this litigation." (65-58236-1761)

25. On June 13, 1953, Emanuel Bloch, attorney for the Rosenbergs, appeared before Supreme Court Justice Jackson and made a motion for a stay of execution. Justice Jackson heard the arguments from both Bloch and the Government attorneys and he then referred the matter to the full court to be heard on June 15, 1953. On June 15, 1953, the full Supreme Court denied the application for a stay of execution made by the Rosenbergs by a five to four decision.
(65-58236-1743, 1811)

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26. On June 15, 1953, following the denial by the United States Supreme Court for a stay of execution, the defense attorney made an oral application for a writ of habeas corpus. This application for leave to file the writ was denied by the Supreme Court. The basis for this application for a writ of habeas corpus was as follows: (a) The Rosenbergs were convicted without due process of law in violation of the Fifth Amendment; (b) Perjured testimony of certain witnesses, which could not have been innocently accepted by the prosecution. Specific reference was made to the testimony of the Greenglasses. (c) The death sentence should only have been given had secret information actually been transmitted to Russia. (d) Lack of intelligence and education of David Greenglass to pass the information concerning the processes involved in constructing the A-bomb.

(65-58236-1745, 1752)

27. On June 16, 1953, Justice Douglas of the Supreme Court requested the Rosenberg defense attorneys to submit their petitions for a stay of execution in writing. On this date, Daniel G. Marshall, attorney, Los Angeles, and Fyke Farmer, attorney, appeared at the Supreme Court and attempted to file petitions for a writ of habeas corpus on behalf of the Rosenbergs. Their action in attempting to file these writs was opposed by Emanuel H. Bloch and John F. Finerty, attorneys for the Rosenbergs. These petitions for a writ of habeas corpus were heard by Mr. Justice Douglas in his chambers. The main point made by Farmer and Marshall in their petition was that under the 1946 Atomic Energy Act the death sentence might be imposed only upon the recommendation of the jury and then only when the defendants were charged with intent to injure the United States. Farmer argued that, inasmuch as the conspiracy for which the Rosenbergs were convicted commenced in 1944 and existed until 1950, the provisions of the Atomic Energy Act applied to the sentencing rather than the provisions of the Espionage Act of 1917. On June 17, 1953, Mr. Justice Douglas granted a stay of execution in order that the question raised by Farmer could be argued in the District Court and more evidence received in order to determine whether there was merit to Farmer's argument. In granting this stay, Mr. Justice Douglas stated, "It is important that the country be protected against the nefarious plans of spies who would destroy us. It is also important

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that before we allow human lives to be snuffed out we be sure - emphatically sure - that we act within the law. If we are not sure, there will be lingering doubts to plague the conscience after the event. I have serious doubts whether this death sentence may be imposed for this offense except and unless a jury recommends it. The Rosenbergs should have an opportunity to litigate this issue." Mr. Justice Douglas stated that he felt it was a substantial legal question which should be decided after full argument and deliberation. (65-58236-1896)

28. On June 18, 1953, R. Boland Ritche, Attorney, Wichita, Kansas, filed by mail with the United States District Court, Southern District of New York, a petition for a writ of habeas corpus in which the allegation was made that the indictment in this case should be dismissed because it contained allegations that acts of espionage were committed in time of war and in time of peace and that the defendants should have been convicted under the peacetime provisions of the espionage statutes which carry a maximum sentence of thirty years imprisonment. Judge Sylvester J. Ryan, Southern District of New York, denied this motion on June 18, 1953. (65-58236-1879)

29. On June 18, 1953, Arthur Kinoy, attorney, New York City, filed on behalf of Emanuel Bloch a petition for a stay of execution based on the argument of Fyke Farmer that the Atomic Energy Act superseded the Espionage law of 1917. This petition requested the Court to (a) vacate the sentence and dismiss the indictment, or, (b) vacate sentence and direct a new trial, or (c) grant a full hearing on the allegations contained therein. This motion was denied by Judge Kaufman in all respects on June 19, 1953, prior to the execution of the Rosenbergs. (65-58236-1859)

30. On June 19, 1953, a special session of the United States Supreme Court, which had been called by Chief Justice Vinson in order to review the stay granted by Mr. Justice Douglas on June 17, 1953, vacated the stay granted by Mr. Justice Douglas. The opinion of the Court was written by Mr. Justice Jackson with whom there was joined Chief Justice Vinson, Mr. Justice Reed, Mr. Justice Burton, Mr. Justice Clark and Mr. Justice Minton. In his opinion

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Mr. Justice Jackson stated, "This stay was granted upon such legal ground that this Court cannot allow it to stand as the basis upon which lower courts must conduct further long-drawn proceedings. The sole ground stated was that the sentence may be governed by the Atomic Energy Act of August 1, 1946, instead of the earlier Espionage Act. The crime here involved was commenced June 6, 1944. This was more than two years before the Atomic Energy Act was passed. All overt acts pertaining to atomic energy on which the Government relies took place as early as January, 1945. The Constitution, Article I, Section 9, prohibits passage of any ex post facto Act. If Congress had tried in 1946 to make transactions of 1944 and 1945 offenses, we would have been obliged to set such an Act aside. To open the door to retroactive criminal statutes would rightly be regarded as a most serious blow to one of the civil liberties protected by our Constitution. Yet the sole ground of this stay is that the Atomic Energy Act may have retrospective application to conspiracies in which the only overt acts were committed before that statute was enacted. We join in the opinion by Mr. Justice Clark and agree that the Atomic Energy Act does not, by text or intention, supersede the earlier Espionage Act. It does not purport to repeal the earlier Act, nor afford any grounds for spelling out a repeal by implication." Mr. Justice Jackson also stated, "This stay is not and could not be based upon any doubt that a legal conviction was had under the Espionage Act. Application here for review of the Court of Appeals decision affirming the conviction was refused, 344 U. S. 838, and rehearing later denied, 344 U. S. 889. Later, responsible and authorized counsel raised, among other issues, questions as to the sentence, and an application was made for stay until they could be heard. The application was referred to the full Court, with the recommendation that the full Court hold immediate hearing and as an institution make a prompt and final disposition of all questions."

Mr. Justice Jackson continued, "Thus, after being in some form before this Court over nine months, the merits of all questions raised by the Rosenbergs' counsel had been passed upon, or foreclosed by denials. However, on this application we have heard and decided a new contention, despite the irregular manner in which it was originally presented."

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In discussing the manner in which this stay was granted, Mr. Justice Jackson said, "This is an important procedural matter of which we disapprove. The stay was granted solely on the petition of one Edelman, who sought to appear as 'next friend' of the Rosenbergs. Of course, there is power to allow an appearance in that capacity, under circumstances such as incapacity or isolation from counsel, which make it appropriate to enable the Court to hear a prisoner's case. But in these circumstances the order which grants Edelman's standing further to litigate this case in the lower cannot be justified. Edelman is a stranger to the Rosenbergs and to their case. His intervention was unauthorized by them and originally opposed by their counsel. What may be Edelman's purpose in getting himself into this litigation is not explained, although inquiry was made at the bar. It does not appear that his own record is entirely clear or that he would be a helpful or chosen companion. The attorneys who appear for Edelman tell us that for two months they tried to get the authorized counsel for the Rosenbergs to raise this issue but were refused. They also inform us that they have eleven more points to present hereafter, although the authorized counsel do not appear to have approved such issues. The Rosenbergs throughout have had able and zealous counsel of their own choice. These attorneys originally thought this point had no merit and perhaps also that it would obscure the better points on which they were endeavoring to procure a hearing here. Of course, after a Justice of this Court had granted Edelman's standing to raise the question and indicated that he is impressed by its substantiality, counsel adopted the argument and it became necessary for us to review it....The lawyers who have ably and courageously fought the Rosenbergs' battle throughout then listened at this bar to the newly imported counsel make an argument which plainly implied lack of understanding or zeal on the part of the retained counsel. They simply had been elbowed out of the control of their case." Continuing, Mr. Justice Jackson stated "...this precedent presents a threat to orderly and responsible representation of accused persons and the right of themselves and their counsel to control their own cases. The lower court refused to accept Edelman's intrusion but by the order in question must accept him as having standing to take part in, or take over, the Rosenberg case. That such disorderly intervention is more likely to prejudice than to help the representation of accused

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persons in highly publicized cases is self-evident. We discountenance this practice." In discussing the death sentence, Justice Jackson said, "Vacating this stay is not to be construed as indorsing the wisdom or appropriateness to this case of a death sentence. That sentence, however, is permitted by law and, as was previously pointed out, is, therefore, not within this Court's power of revision."

Mr. Justice Clark wrote a separate opinion in which he was joined by the Chief Justice and Mr. Justices Reed, Jackson, Burton and Minton. In his opinion Mr. Justice Clark stated as follows: "Seven times now have the defendants been before this Court. In addition, the Chief Justice, as well as individual Justices, have considered applications by the defendants. The Court of Appeals and the District Court have likewise given careful consideration to even more numerous applications than has this Court. The defendants were sentenced to death on April 5, 1951. Beginning with our refusal to review the conviction and sentence in October, 1952, each of the Justices have given the most painstaking consideration to the case. In fact, all during the past Term of this Court one or another facet of this litigation occupied the attention of the Court. At a Special Term on June 15, 1953, we denied for the sixth time the defendants' plea. The next day an application was filed contending that the penalty provisions of the Atomic Energy Act governed this prosecution;..... Mr. Justice Douglas, finding that the contention had merit, granted a stay of execution." Mr. Justice Clark continued, "Human lives are at stake; we need not turn this decision on fine points of procedure or a party's technical standing to claim relief. Nor did Mr. Justice Douglas lack the power and, in view of his firm belief that the legal issues tendered him were substantial, he even had the duty to grant a temporary stay. But for me the short answer to the contention that the Atomic Energy Act of 1946 may invalidate defendants' death sentence is that the Atomic Energy Act cannot here apply.... Where Congress by more than one statute proscribes a private course of conduct, the Government may choose to invoke either applicable law:.....Nor can the partial overlap of two statutes work a pro tanto repealer of the earlier Act."

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Mr. Justice Clark also stated as follows: "Section 10(b)(6) of the Atomic Energy Act itself, moreover, expressly provides that Section 10 'shall not exclude the applicable provisions of any other laws....,' an unmistakable reference to the 1917 Espionage Act. Therefore, this section of the Atomic Energy Act, instead of repealing the penalty provisions of the Espionage Act, in fact, preserves them in undiminished force."

Mr. Justice Clark continued, "In any event, the Government could not have invoked the Atomic Energy Act against these defendants. The crux of the charge alleged overt acts committed in 1944 and 1945, years before the Act went into effect. While some overt acts did, in fact, take place as late as 1950, they related principally to defendants' efforts to avoid detection and prosecution of earlier deeds. Grave doubts of unconstitutional ex post facto criminality would have attended any prosecution under that statute for transmitting atomic secrets before 1946. Since the Atomic Energy Act thus cannot cover the offenses charged, the alleged inconsistency of its penalty provisions with those of the Espionage Act cannot be sustained."

Mr. Justice Clark concluded his opinion by stating, "Our liberty is maintained only so long as justice is secure. To permit our judicial processes to be used to obstruct the course of justice destroys our freedom. Over two years ago the Rosenbergs were found guilty by a jury of a grave offense in time of war. Unlike other litigants they have had the attention of this Court seven times; each time their pleas have been denied. Though the penalty is great and our responsibility heavy, our duty is clear." (65-58236-1902)

31. On June 19, 1953, the Supreme Court of the United States denied a motion for reconsideration of the question of the Court's power to vacate Mr. Justice Douglas's stay order and to hear oral argument.

32. On June 19, 1953, the defendants' motion for a further stay of execution was denied by the United States Supreme Court.

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33. On June 19, 1953, Mr. Justice Frankfurter turned down Emanuel Bloch's petition for a writ of mandamus to the Circuit Court to grant a stay, pending appeal. Mr. Justice Jackson also viewed this petition and said that he would talk with Bloch but would deny the petition. (65-58236-1845)

34. On June 19, 1953, following the decision of the Supreme Court, Dwight D. Eisenhower, President of the United States, refused to grant executive clemency to Julius and Ethel Rosenberg. In this refusal, the President stated, "Since its original review proceedings in the Rosenberg case by the Supreme Court of the United States the courts have considered numerous further proceedings challenging the Rosenbergs' conviction and the sentence imposed. Within the last two days, the Supreme Court, convened in a special session, has again reviewed a further point which one of the justices felt the Rosenbergs should have an opportunity to present. This morning the Supreme Court ruled that there was no substance to this point. I am convinced that the only conclusion to be drawn from a history of this case is that the Rosenbergs have received the benefit of every safeguard which American justice can provide. There is no question in my mind that their original trial and the long series of appeals constitute the fullest measure of justice and due process of law. Throughout the innumerable complications and technicalities of this case, no judge has ever expressed any doubt that they committed most serious acts of espionage. Accordingly, only most extraordinary circumstances would warrant executive intervention in this case. I am not unmindful of the fact that this case has aroused grave concern both here and abroad. In this connection, I can only say that by immeasurably increasing the chances of atomic war the Rosenbergs may have condemned to death tens of millions of innocent people all over the world. The execution of two human beings is a grave matter, but even graver is the thought of the millions of dead whose death may be directly attributable to what these spies have done."

The President continued, "When democracy's enemies have been judged guilty of a crime as horrible as that of which the Rosenbergs were convicted; when the legal processes of democracy have been marshalled to their maximum strength

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to protect the lives of convicted spies; when in their most solemn judgment the tribunals of the United States have adjudged them guilty and the sentence just, I will not intervene in this matter."

35. On June 19, 1953, Judges Frank and Swan of the Circuit Court of Appeals affirmed the decision of Judge Kaufman denying a stay of execution earlier that day.

36. At 8:05 p.m. on June 19, 1953, Julius Rosenberg was executed at Sing Sing Prison, Ossining, New York. At 8:15 p.m. on the same date, Ethel Rosenberg was executed at Sing Sing Prison.

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Office Memorandum • UNITED STATES GOVERNMENT

TO : The Director

DATE: August 14, 1953

FROM : L. B. Nichols

SUBJECT:

Julius Rosenberg

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

I have read the article entitled "The Rosenberg Case" by Milton Lehman in the August 8th issue of the Saturday Evening Post. This particular article does not give a full account of the Rosenberg case and since this was the article which Mullen purportedly was cooperating in and it has now been published, it seems to me we can again consider an article on the Rosenberg case. I still think there is a good article that could be done and which would give the Bureau just credit.

The article could be handled in one of two ways: either by letting some outside writer handle it over his own byline, or the article could be done by the Director. Reader's Digest wants such an article by the Director. On the other hand, Leo Rosten has already approached us for an article, and at the time he made his approach, we were thinking in terms of having somebody else do it. Rosten, of course, wants the Director to do a series of articles for Look Magazine. It seems to me if we could work out an arrangement whereby the article would appear over the Director's signature in Look Magazine, it could then be picked up by Reader's Digest and, thus, would have the greatest circulation.

Mr Ladd agrees

cc: Mr. Ladd
 Mr. Belmont
 Mr. Jones

ok. To see how articles will shape up.

LBN:MP

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 7/29/86 BY 3042 PWT/BJ

RECORDED-29

65-58236-2060

OCT 12 1953

*Informal on file
 8/21/53 LBN*

S. One

Office Memorandum • UNITED STATES GOVERNMENT

TO : A. H. Belmont

DATE: August 25, 1953

FROM : W. A. Branigan

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R

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

In connection with the preparation of a proposed article by the Crime Records Section in the Rosenberg case, there is underlined in blue pencil in the attached Rosenberg summary those portions thereof which should not be used in such an article.

ACTION:

It is recommended that the attached summary be returned to Mr. Nichols.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/29/86 BY 2042 PWT/BJ

Attachment
65-58236
APL:blb *all*

Memo Nichols to Tolson
9-10-53

LBN

RECORDED-52 165-58236-2064

13 OCT 12 1953

ESP SEC
NH

OK
OCT 14 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson ✓

~~SECRET~~ 10-23-86

DATE: Sept. 10, 1953 ✓

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

FROM : L. B. Nichols

CLASSIFIED BY: 3042/pwt/ps X
DECLASSIFY ON: OADR

~~SECRET~~

SUBJECT: THE ROSENBERG CASE

Julius Rosenberg

We have discussed the possibilities of an article. I propose that we give the Rosenberg case to Look Magazine. This, of course, would be an article for the Director's signature and Leo Rosten would prepare it. As I see the article, I do not see how it can be presented in any other way than in two parts. I propose to handle the preliminary preparation of the draft which, of course, will be submitted for your approval in the following manner:

I am attaching the detailed summary prepared on the Rosenberg case by the Domestic Intelligence Division dated July 27, 1953. This summary is in excellent condition and it has only recently been reviewed by the Domestic Intelligence Division and those portions of it which should not be released publicly have been underlined. This information will, of course, not be released. It deals primarily with [redacted] material. I think the most effective way of handling this would be for us to sit down with Rosten and tell him the story utilizing the outline which is attached. If approved, I will call Rosten today and get this set up. We would, of course, have ample time to review any manuscript.

I agree
 ✓
 ✓
 ✓

Attachments

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 EXCEPT WHERE SHOWN
 OTHERWISE

~~SECRET~~

cc - Mr. Ladd

cc - Mr. Jones

RECORDED-52

165-58236-2062

LBN:ps

OCT 12 1953

Classified by 2355/wab
 Exempt from GDS, Category 1/2
 Date of Declassification Indefinite

~~SECRET~~

SAC, New York

October 7, 1953

Director, FBI

~~CONFIDENTIAL~~

~~SECRET~~

UNKNOWN SUBJECT, wa. "Greco"
ESPIONAGE - R

DECLASSIFIED BY 3042 PWT/ALS
ON 1-16-87
#861840

Re WFO letter dated September 30, 1953, under the caption "Julius Rosenberg, et al, Espionage - R," reporting results of interview with Edward F. Cheyfitz concerning the "Greco" letter.

Inasmuch as Cheyfitz has identified several individuals as possible suspects for the writer of the "Greco" letter, the New York Office is requested to open a new case entitled as above. New York Office is designated Office of Origin in this investigation.

It appears that the most likely suspect for "Greco," according to Cheyfitz, is Dave Gordon, who, in 1936 or 1937, was section organizer for the Communist Party in Toledo, Ohio. Bufiles reflect that Gordon is undoubtedly identical with the subject of the case entitled "David Gordon, with aliases, David Goronofsky, David Gorodnitsky, Security Matter - C," (Newark Office origin, Newark file 100-35443, New York file 100-22623).

For the information of the Newark Office, the following letter handwritten in ink was received by the New York Daily News, postmarked June 11, 1953, at New York City:

"Important new evidence Rosenberg Case"

"Dear Sirs:

"I cannot bear to see the Rosenbergs punished for the work of what I know is a ring, of which I was part. I will herein name some of the guilty parties so that you will know the

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

- APL:amr:awn
- cc 2 - Newark
- cc 2 - Cleveland
- cc 2 - Washington Field
- cc - Rosenberg (65-58236)
- cc - Gordon (100-22623)
- cc - F. G. Blackburn-FBI Lab. - Room 7167

Classified by 7252
Exempt from GDS, Category 2/4
Date of Declassification Indefinite

DUPLICATE
OCT 8 1953
MAILED

65-58236-
NOT RECORDED
131 OCT 12 1953

79 OCT 11 1953
2/68

~~SECRET~~
~~CONFIDENTIAL~~

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

10-29-86

CLASSIFIED BY 3042 PWT/ALS
DECLASSIFY ON: OADR

~~SECRET~~

"truth of what I write. Then I will talk to the authorities through Professor Sidney Hood, of N. Y. University, if I am assured, in newspaper public notice advertisement that I will have immunity. Refer to me in the advertisement as 'Grace.' The evidence which you can easily check - From 1941 to 1945, a spy transmission ring existed for sending plans and models to Russia via ships of the National Maritime Union. Some of the 'anchors' were - Richard Fuch and father, Radio broadcaster and automotive engineer from the Midwest. Joseph Curran, Pres of the National Maritime Union, elected by communists. Edwin P. Chauritz, physicist, Graduate of Northwestern College, who lived in Russia, came back to head an Auto-Workers union and 'sold out' as a camouflage to Erik Johnston, in order to conceal his communist background and spy activities.

"These are but a few of the names I shall give you, if you follow instructions. Remember - public notice was to 'Grace.' Designate a meeting place - no phony. I prefer to talk to Prof. Sidney Hood alone. First. He is the only one I trust. I can't bear to see hundreds of cowards keeping still while two people are made scapegoats to satisfy the law. Spys have ethics too, as you can see."

"Grace"

Professor Sidney Hood, mentioned above, is identical with Professor Sidney Hook of New York City. An advertisement was placed in the New York Daily News on June 16, 1953 and June 17, 1953, with the cooperation of Professor Hook in an effort to establish contact with "Grace." No contact was made and Hook subsequently departed for Europe on vacation.

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The FBI Laboratory examined the "Greco" letter for latent prints with negative results. An examination was also made of the handwriting through the national security file without effecting an identification. (X) u

The Newark and New York Offices are requested to secure handwriting specimens of David Gordon and forward same to the FBI Laboratory for comparison with the "Greco" letter. It is noted that from a review of the Gordon case file, he was registered for selective service with Local Board 135, Brooklyn, New York. His selective service file should be a good source for obtaining specimens of his handwriting. Photographs of Gordon should also be secured and exhibited to Professor Sidney Hook to determine if he knows this individual.

The New York Office is also requested to submit a comprehensive report in this case reflecting the results of all investigation conducted to date and appropriate leads for other Field offices set out.

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