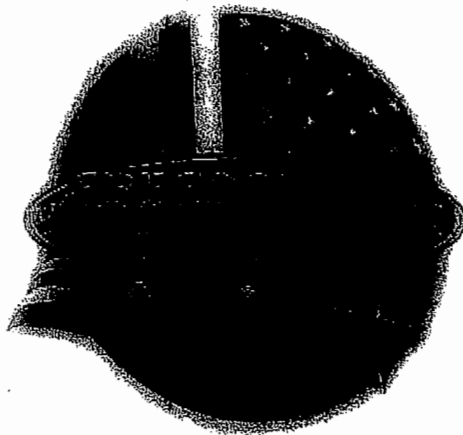


FREEDOM OF INFORMATION
AND
PRIVACY ACTS

Subject: Julius Rosenberg

File Number: 65-15348

Section: Sub 10 (A)



FEDERAL BUREAU OF INVESTIGATION

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FILE DESCRIPTION

NEW YORK FILE

SUBJECT Julius Rosenberg

FILE NO. 65-15348
Sub. Sec. A

VOLUME NO. 10

SERIALS 767
THRU
799

10
10/2/78

File No: 65-15348 A

Re: Julius Rosenberg

Date:

(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	
7671	1-13-53	Newspaper Clippings NY Herald Tribune	1	1	
767A	1-13-53	NY Brooklyn Eagle	1	1	
767C	1-13-53	The New Leader	2	2	
768A	1-13-53	NY Times	3	3	
769	1-13-53	NY News	1	1	
770	1-13-53	NY Post	1	1	
771	1-13-53	NY Journal American	1	1	
772	1-13-53	NY Brooklyn Eagle	2	2	
773	1-13-53	NY World Telegram + Sun	1	1	
774	1-20-53	Transfer Sheet FD-5	1	1	
775	1-20-53	" " " " " "	1	1	
776	1-20-53	" " " " " "	1	1	

File No: 65-25348

Re: Julius Rosenberg

Date: 2/178

(month/year)

Serial	Date	Description (Type of comment, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
777	1-20-53	Transfer sheet FD-5	1	1	
778	1-20-53	"	1	1	
779	1-21-53	"	1	1	
780	1-21-53	"	1	1	
781	1-21-53	"	1	1	
782	1-21-53	"	1	1	
783	1-14-53	NY Times	1	1	
784	1-14-53	NY Herald Tribune	1	1	
785	1-14-53	NY Times	1	1	
786	1-14-53	NY Herald Tribune	1	1	
787	1-14-53	NY Mirror	1	1	
788	1-21-53	Transfer sheet FD-5	1	1	

File No: 65-75349-A
Re: Julius Rosenberg

Date: 2/18
(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	
789	1/14/53	NY Post	2	2	
790	1/14/53	NY Journal American	1	1	
791	1/14/53	" "	1	1	
791A	1/15/53	NY Post	3	3	
791B	1/15/53	NY Times	3	3	
791C	1/15/53	NY News	1	1	
791D	1/15/53	NY Herald Tribune	1	1	
791E	1/15/53	" "	1	1	
791F	1/15/53	" "	1	1	
791G	1/15/53	NY News	1	1	
791H	1/16/53	NY Post	1	1	
791I	1/16/53	NY Journal American	1	1	

File No: 65-15348-A
Re: Julius Rosenberg

Date: 2/78
(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	
791J	1/16/53	NY Journal American	1	1	
791K	1/16/53	NY Post	2	2	
791L	1/17/53	NY News	3	3	
791M	1/17/53	NY Times	1	1	
791N	1/17/53	NY Herald Tribune	2	2	
791O	1/17/53	NY Mirror	2	2	
791P	1/17/53	NY Brooklyn Eagle	1	1	
791Q	1/17/53	NY Journal American	1	1	
791R	1/17/53	NY Journal	1	1	
791S	1/17/53	NY Mirror	1	1	
791T	1/18/53	NY Brooklyn Eagle	1	1	
791U	1/18/53	NY Post	1	1	

File No: 65-15348-A Re: Julius Rosenberg

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	
791V	1-18-53	NY Post	2	2	
791W	1-18-53	NY World Telegram & Sun	2	2	
791X	1-18-53	NY Herald Tribune	1	1	
791Y	1-18-53	NY Herald Tribune	1	1	
791Z	1-18-53	NY Mirror	2	2	
791AA	1-18-53	NY Times	1	1	
791BB	1-18-53	NY News	2	2	
792	1-19-53	NY Journal American	1	1	
793	1-20-53	NY Mirror	1	1	
794	1-21-53	NY Herald Tribune	1	1	
795	1-22-53	NY Post	1	1	
796	1-22-53	NY World Telegram & Sun	1	1	

W.C. Kelly

File No: 65-15348-A

Re: Julius Rosenberg

Date: 2/78
(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	
797	1-23-53	NY Mirror	1	1	
798	1-26-53	NY Journal American	26	26	
798A	1-26-53	The New Leader	1	1	
799	1-28-53	NY Journal American	3	3	
			81	81	



U. S. Department of Justice

(MATERIAL MUST NOT BE REMOVED FROM OR ADDED TO THIS FILE)

FEDERAL BUREAU
of
INVESTIGATION

See also Nos. _____

157-15348
File - file A

157-15348
12/13/51
157-15348
12/13/51

Einstein Asks Clemency for The Rosenbergs

His Letter Refers Truman to Reasons Set Forth by Urey in Similar Appeal

Dr. Albert Einstein has sent a letter to President Truman asking him to commute the death sentence of Julius and Ethel Rosenberg, the convicted atom spies. It was disclosed yesterday in Princeton, N. J.

The Rosenbergs were scheduled to go to the electric chair in Sing Sing Prison tomorrow, but their execution was stayed pending the outcome of an appeal to President Truman.

The Einstein letter, sent Sunday by special delivery was addressed to "The President of the United States, The White House, Washington, D. C." Reporters were not permitted to question Dr. Einstein concerning the letter or his reasons for sending it. The letter follows:

"Dear Mr. President,

"My conscience compels me to urge you to commute the death sentence of Julius and Ethel Rosenberg. This appeal to you is prompted by the same reasons which were set forth so convincingly by my distinguished colleague, Harold C. Urey in his letter of Jan. 5, 1953, to the 'New York Times.'

"Respectfully yours,
"ALBERT EINSTEIN."

Urey's Letter

In his letter to "The Times" Dr. Urey expressed doubts as to the value of some of the testimony in the case and said that even if the verdict were correct he was amazed at the unequal punishment for the same crime.

"We are engaged in a bold war with the tyrannical government of the U. S. S. R.," Dr. Urey said. "We wish to win the approval and loyalty of the good people of the world. Would it not be embarrassing if, after the execution of the Rosenbergs, it could be shown that the United States had executed two innocent people and let a guilty one go completely free? And, remember, somewhere there is a representative of the U. S. S. R. who knows what the facts are. I strongly urge a careful reconsideration of this sentence."

It also was disclosed yesterday that the Rev. Dr. John Heuss, rector of Trinity Church, Broadway and Wall St., has refused to sign a petition circulated among clergymen asking clemency for the Rosenbergs. In a letter to the Rev. Dr. James Luther Adams, of the Meadville Theological Seminary, Chicago, one of those signing the petition, Dr. Heuss expressed indignation that he had even been asked to sign. His letter follows:

"My dear Mr. Adams:

"I received today a mimeographed letter to which your name was signed requesting that I sign my name to an open letter to the President of the United States asking him to commute the death sentence passed on the Rosenbergs.

"Astonished at Action"

"I want you to know that I am astonished at your action. I consider the crime for which the Rosenbergs were convicted one of the worst in the annals of mankind.

"I am sure that you have arrived at your personal conclusion both prayerfully and without any pressure from any person or group, but in view of the fact that the Communist party in this country is making a determined effort to use people of liberal conviction as a propaganda front throughout the world against this country in this matter, it is difficult for me to believe that you have not been duped into allowing your name and position to be used.

"If by chance your name was used without your permission, I sincerely hope that you will make a public denial of association with this ill-considered effort.

"Sincerely yours,

"JOHN HEUSS."

Dr. Adams said in Chicago, "Yes, I did lend my name" to the signing of the petition for clemency. Dr. Jesse W. Stitt, pastor of the Village Presbyterian Church, 139 W. 13th St., said in a statement that "over 1,500" other Protestant clergymen had signed the petition.

TRAINING UNIT

CLIPPING FROM THE
N.Y. HERALD TRIBUNE

H. Y.

DATED JAN 13 1953 DIVISION

65-15348-A-767

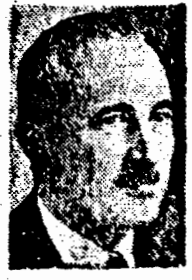
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JAN 13 1953	
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SAC
 ASAC 1
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 PROPERTY CLERK
 TRAINING UNIT

ONE MAN SAYS • By Robert M. Grannis

Should the Rosenbergs Be Spared?

When a lot of readers ask me the same question I sort of figure the thing to do is get up a head of steam and give them a straight answer. And the subject sure is provocative and it is a case of every man for himself. The question is, should Ethel and Julius Rosenberg be put to death for the crime of espionage, which is a technical word for treason?



are the lowest form of life on this globe. They are liars, frauds and worse. They have no sincere motives about anything except in their attempt to louse up everything decent. Their campaign in behalf of the Rosenbergs smells to high heaven. It suggests anti-Semitism is the motivating force. And they know in their black hearts it is a lie, and that Stalin has borrowed Hitler's book and the purges have started, with Czechoslovakia as the curtainraiser.

Capital punishment has never been a deterrent to murder. We have more murders than ever before. And killing the Rosenbergs won't stop espionage or treason in its tracks. But it will create a pair of martyrs for Stalin's cause, both in the East and here. Their memory will become the symbol of nobility among Commies and pro-Commies for generations to come. Every detail of how they met death will be flashed around the world and the unenlightened and those saturated with Kremlin hatred will despise the United States a little more. And without any just reason, mind you. Of course they deserve to die. There is no question about it, but, nevertheless, I think there is more to be gained by letting this miserable couple live.

and when you consider the intellect of a Fuchs or a Hiss it is difficult to understand how they got off so lightly. But somehow because of our world position it strikes me that for us to pioneer in the grimmest of all fields gives me a feeling of uneasiness. I can't quite explain it. I only know the thoughts that have emerged after tossing the subject around for weeks.

The Bible does not exclude the death penalty for some misdeeds but I believe religion should be kept out of this picture. It is a case where the consequences must be considered.

I know that many of my readers will be shocked by this opinion as well as many of my friends but if I didn't state it I would be less than honest. And at the beginning of 1953 I reiterated my promise to call the shots as I see them.

So now we move along to the closing thought. What to do with the Rosenbergs. Let them rot in jail without any hope of parole or pardon. Let them spend the rest of their lives pondering the terrible nature and quality of their acts. Let them wish they might have died as a means of relieving their tortured minds. It is easy to say that you are unrepentant but there is always a time between dusk and daylight when the guilty ones ask how long can the night be?

In earlier columns I have praised the courage of Federal Judge Kaufman and I believe that as a representative of our wonderfully fair judicial system he added the law and his conscience together and came up with the only answer possible at his level in the proceedings.

Now the matter lies in the lap of President Truman and maybe we all pause and reflect that he is on a tough spot.

Well, let's not delay my answer any longer and if it would seem to contradict anything I've written before it is because I have done some soul searching, too. I do not believe we should execute the Rosenbergs.

And right here I want to keep the record straight on one score. I believe that Commies

There have been many atom spies who deserved to die as much as the Rosenbergs do

ON THE
N.Y. BROOKLYN EAGLE

JAN 1 1953

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JAN 1 1953	
FBI - NEW YORK	
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SAC
ASAC I
ASAC 2

**Urges Rosenbergs to Talk,
Not to Die as 'Martyrs'**

The following open letter is addressed to Julius and Ethel Rosenberg:

"In the light of many recent developments, particularly in Stalin's vassal state of Czechoslovakia, and your own stubborn insistence on continuing your puppet role as 'martyrs,' my thoughts repeatedly bring me back to your impending execution—the penalty for being traitors to our country.

Let the Communists exploit your pretended martyrdom; let them raise the hue and cry

of anti-Semitism; let them taunt the innocent to enrich the coffers of their party and its program of serving Moscow. But we know that you were given a fair trial, that you were proven guilty beyond a reasonable doubt, that you exhausted every legal right guaranteed to everyone in our 'decadent' democracy.

"Certainly if you and your Communist cohorts were successful in delivering us to Stalin, none would even dare to hope to have the legal safeguards which are available even to spies, saboteurs and traitors in the United States.

"Yet I am troubled. Why are you intent upon dying as martyrs?

"Having lived in this imperfect democracy of ours, you have had available all the facts of the last thirty-five years. You have not been limited to 'official' information concerning the unfortunate souls who suffer behind the Iron Curtain. The history of Stalin's ruthless destruction of practically every active disciple who helped to make country after country a vassal state of his challenges human credence.

"Permit me to ask: If you were now in Czechoslovakia, would you be permitted to die as martyrs? Would you be permitted to die without 'confessing' your crimes? The greatest crime, you know, would be that you come from Jewish forebears!

"What an irony your situation reflects! If conscience compelled you to discharge your moral obligations to country and family and you were actually to confess your guilt, the likelihood is that you would receive Executive clemency. But in a Communist state the only thing a 'confession' would bring you would be a merciful release from torture through death.

"Has the Communist party been keeping you informed while you are becoming 'martyrs'? Has it told you what the latest 'line' is? If not, permit me to. Every fault, every real or pretended betrayal, every crop failure, every economic breakdown that has occurred behind the Iron Curtain (and things are very bad there, believe me) has been caused by the 'Zionist cosmopolitans.' This means that every Jew is a scapegoat. Those whom Hitler overlooked are being readied for extermination by Stalin.

"Has the thought struck you that after you have served your purpose to the party—after you have gone obediently to your death without admitting your guilt or disclosing the facts of your betrayal or the names of your co-conspirators—the attitude of the party will be good riddance, for, after all, you were careless enough to get caught?

"And has this thought struck you: If any of the innocents used by the party to exploit your 'martyrdom' should ever fall into the hands of your comrades behind the Iron Curtain, do you realize that they will be liquidated as 'Zionist accomplices'? For the conclusive proof against them will be that they campaigned to free the Rosenberg Jews!

"To what avail your continued silence?"
New York City
MAX FRANKEL

ADM
SEC. 5
SEC. 7
SEC. 11
SEC. 12
NIGHT SUPERVISOR
PROPERTY CLERK
TRAINING UNIT

Handwritten signature

65-15348
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JAN 28 1953
FBI - NEW YORK

CLIPPING FROM
The New Leader
JAN 12, 1953

65-15348-A-767B

SEC 1
SEC 2
SEC 3
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SEC 6
SEC 7
SEC 8

Crushing case against the Rosenbergs, the magnitude of their crime, refusal to name accomplices, continued work with the Reds, ~~shot~~ they're no ordinary spies

The Truth About the Atom Spies

By Oliver Pilat



FUGHS: HE TALKED, AND LIVES

Oliver Pilat, a New York Post reporter, has made a specialty of studying atomic espionage. He recently wrote a series on the Rosenbergs for the Post and is author of the recent book, *The Atom Spies*.

CLIPPING FROM THE
N. Y. *The New Leader*
DATE: Jan 2, 1953
FORWARDED BY N. Y. DIVISION

65-15348-A-767c

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SERIALIZED.....	FILED.....
JAN 29 1953	
FBI - NEW YORK	

EINSTEIN SUPPORTS ROSENBERG APPEAL

Red Spies' Mercy Drive Splits Ministers—Pardon for 11 Top Communists Also Asked

Controversy over the issue of clemency for Julius and Ethel Rosenberg, who have appealed to President Truman for commutation of their death sentences as spies who betrayed atomic secrets, intensified yesterday. Their execution, originally scheduled for yesterday, has been postponed pending the President's action on the appeal.

Prof. Albert Einstein, the venerable mathematician who lives in Princeton, N. J., announced that he had written the President Monday asking for mercy. His note said:

"Dear Mr. President:

"My conscience compels me to urge you to commute the death sentence of Julius and Ethel Rosenberg.

"This appeal to you is prompted by the same reasons which were set forth so convincingly by my distinguished colleague, Harold C. Urey, in his letter of Jan. 5, 1953, to THE NEW YORK TIMES.

"Respectfully yours,
"ALBERT EINSTEIN."

Dr. Urey, Professor of Chemistry, at the University of Chicago Institute for Nuclear Studies, "strongly" recommended "a careful reconsideration of this sentence" because, he contended, the evidence against the Rosenbergs appeared contradictory and inconclusive.

The case against clemency was endorsed by the Rev. Dr. John Heuss, rector of Trinity Protestant Episcopal Church, who made public his reply to a group of clergymen who sought his signature to an appeal on behalf of the convicted couple.

Opposes Red Propaganda Drive

Dr. Heuss addressed himself to the Rev. Dr. James Luther Adams of Meadville Theological Seminary thus:

"I want you to know that I am astonished at your action. I consider the crime which the Rosenbergs were convicted for one of the worst in the annals of mankind.

"In view of the fact that the Communist party in this country is making a determined effort to use people of liberal conviction as a propaganda front throughout the world against this country in this matter, it is difficult for me to believe that you have not been duped into allowing your name and position to be used."

The mimeographed statement to which Dr. Heuss had been invited to sign his name along with those of other church leaders took the form of a letter to President Truman asking him to commute the death sentence to one of life imprisonment.

Three thousand lawyers in this area were urged yesterday by Ephraim Cross and Michael B. Arkins, in a leaflet on the case, to wire or write to the President asking for commutation on the ground that, among other things, the death penalty "would not conform to the great tradition of our jurisprudence."

Another letter released during the day requested the President to grant amnesty to the eleven top American Communists who were convicted in 1949. Among those listed as having signed the letter were 161 Protestant churchmen of fifteen major denominations in thirty-three states. The listed signers included:

Dr. Wilbur E. Saunders, president of the Colgate-Rochester Divinity School.

From this city:

John Haynes Holmes,
The Rev. Guy Emery Sipler, editor of The Churchman,
The Rev. William B. Spofford, editor of The Witness,
The Rev. John Paul Jones,
The Rev. John Howard Melish and
the Rev. William Howard Melish,
The Rev. John Howland Lathrop,
The Rev. Charles E. Ackley,
The Rev. Sheldon Hale Bishop,
The Rev. John A. Maynard,
The Rev. A. J. Muste,
The Rev. Henry J. Wahl,

CLIPPING FROM THE
N.Y. TIMES

N. Y. DIVISION
DATED JAN 13 1953
FORWARDED BY N. Y. DIVISION

65-15348-A-768

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JAN 13 1953	
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Rosenbergs were convicted in the spring of 1951 as outrageously daring, tremendously successful agents. For about nine months, the party tried to decide what to do about them. Only after the pair issued veiled remarks which could be interpreted as threats to come clean unless they received substantial open help in some form did the propaganda drums begin to roll, softly at first and then with increasing vehemence.

The A-spy couple reacted by issuing, or approving statements which their attorney, Emanuel Bloch, issued in their names supporting this or that now familiar fraud advanced by the party propagandists: that there was "no evidence" of espionage brought against them, that they were convicted because "they spoke out for peace," fought Jim Crow, were once trade unionists, and are Jews.

By now, it is probably no longer necessary to mention that the Rosenbergs repudiated their religion in favor of Marxism before they came of age, and that the only references to Jewish matters at the trial were dragged in by them in an effort to pretend religious respectability.

Surely everybody knows that the Rosenbergs went underground in 1944, and hence did not speak out for peace against Jim Crow, or about anything else of public importance between then and 1950, when the FBI arrested them as spies.

MAYE CONFESSION

The English-speaking world frequently shows itself vulnerable to propaganda. When Allan Nunn May, the first atom spy to be tagged, issued a "confession" in 1946, few persons realized, or noted publicly, that this was no confession at all but merely an exercise in continued subversion. May acknowledged only what could not be denied in the light of the Gouzenko revelations. He put a nice-sounding gloss on everything that was sinister, covered up every single exposed nerve-end of the apparatus in Canada, England and the U.S. For this he was rewarded with

a sentence of only 10 years, four less than the maximum under British law. When he emerged from jail two weeks ago, after time off for peaceful behavior, he was still wearing his idealistic false face.

In a similar fashion, the Rosenbergs have taken in many Americans with their bland assertion of innocence after a trial which proved their guilt beyond any shadow of doubt. The evidence was too specific, too cumulative, too overwhelming to permit any notion that here were either idealists or garden-variety spies.

It is true that Julius and Ethel Rosenberg were ordinary outer-party members for some years. They joined the normal Communist fronts and pushed the routine Communist causes. Julius was dropped as an Army Signal Corps inspector during the war, not because he was tagged then as a spy, but because an old application for transfer from one branch of the party to another fell into Government hands.

But Julius and his wife were power-hungry people. He became a commissar of the party-line Federation of Architects, Engineers, Chemists and Technicians, handling job applications and grievances for scores of pro-Communist scientists, many of them in Federal jobs. He became an inner-party man during this period, in the sense that he came into contact with the Russians who secretly made the important deci-

sions for the American party. He did ~~nothing for the American party~~ everything he could to cultivate them.

This is all in the record of the trial. Julius Rosenberg, always aided and guided by his wife, a woman older than himself and with a longer record of party activity, pushed himself into underground work. He spotted likely spies, he cultivated, enrolled and trained them. He spied himself, and he acted as a courier for other spies. He was a *padrone* of the underground, who distributed upward of \$50,000 in escape money to members of his net when exposure threatened. He was planning to take off on the Mexico-to-Switzerland-to-

Sweden-to-Russia escape route, with his family, when the FBI knocked on the door of his apartment in Manhattan's Knickerbocker Village.

One of the more far-reaching activities of the Rosenbergs which should not be forgotten was to persuade scientists who had already proved useful to the apparatus to return to U.S. schools for advanced degrees, at the expense of the apparatus, so they would be better equipped to spy afterward on a higher scientific level for the Soviet Union. These still-concealed zealots are an obvious threat to any remaining U.S. H-bomb secrets.

VARIOUS VERSIONS

Ignoring all the evidence, the Rosenbergs, from the deathhouse, have chined in appropriately to support, in turn, each one of the anti-American versions of the case which are being spread over the world. One version labels this as another Sacco-Vanzetti case, "just a political frame-up"; and when a conscious bid for Jewish sympathy is being attempted, a comparison is made with the Dreyfus case.

When the Circuit Court of Appeals decided unanimously that the Rosenbergs' shrewd and capable lawyer, Emanuel Bloch, had no vestige of a case to upset the conviction, and Judge Jerome Frank read the decision, Ethel Rosenberg at Sing Sing commented that this "proved the existence of an American *Judenrat*."

THE JUDENRAT

The *Judenräte* were the committees chosen by Hitler to determine priority in sentencing Jews to the gas chambers. A comparison of this sort, about a sensitive, intelligent and liberal jurist like Judge Frank, conveying a general implication that the U.S. really is a Fascist beast devouring minorities as a matter of state policy, gives you the measure of the Rosenbergs.

When the U.S. Supreme Court, after a good look at the evidence in the case and the legal arguments advanced on both sides, decided on October 13, 1952 not to go any

As Communist agitation over the plight of Julius and Ethel Rosenberg nears its climax (they are scheduled to die very soon unless they obtain clemency), the temptation arises to single out for comment some particularly shocking aspect, such as the recent intervention, on incredible grounds, of atomic scientist Harold C. Urey. This temptation must be resisted, at least until the design of the Communist campaign has been traced and its purposes emphasized.

One tactic of considerable effectiveness employed by the Communist propagandists involves raising many doubts, tens and hundreds of doubts, on serious and trivial grounds alike, as traps for the unwary, uninformed and unsophisticated.

Though only a variation of the big-lie tactic favored by totalitarians for decades, the multiple-doubt technique has one curious advantage. Anybody misled into spending any considerable time on a single doubt, however plausible or preposterous, finds he is thereby strengthening indirectly the remaining doubts. If he passes on to some of these, the original doubt may even revive, in a self-healing fashion. The same thing applies to concentration on any one person who raises doubts.

But let's start with the fundamentals.

The dominant Communist purposes behind the Rosenberg case propaganda at the present time are to mobilize and intensify anti-American feeling throughout the world, and to find new liberal and humanitarian cover for an increasingly bare and exposed Stalinist apparatus here in the U.S.

There is a subsidiary purpose which may have been the original basic purpose: to see that Ethel and Julius do not, in some upsurge of disillusionment or despair, decide to reveal what they know of Beria's scientific spies still operating in this country.

On overwhelming, coherent and barely challenged evidence, the

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Einstein Asks A-Spy Mercy

Princeton, Jan. 12 (AP).—Albert Einstein, announced today he has asked President Truman to commute the death sentences of Julius and Ethel Rosenberg, convicted atom spies.

"My conscience," the scientist said in a letter to Truman, "compels me to urge you to commute the death sentences of Julius and Ethel Rosenberg."

CLIPPING FROM THE

N.Y. NEWS

DATED JAN 13 1953

NUMBER 107 N.Y. DIVISION

65-15348-A-769

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JAN 13 1953 FBI - NEW YORK	

1,500 Ministers Sign A-Spy Clemency Plea

More than 1,500 Protestant clergymen have signed a letter asking President Truman to commute the death sentences of atom spies Julius and Ethel Rosenberg. It was announced today by one of the sponsors, the Rev. Dr. Jesse W. Stitt, pastor of the Village Presbyterian Church.

"We are not partisans," the letter said. "Our plea does not hang on the decision of the Rosenbergs' guilt or innocence, nor the degree of their wrongdoing. We ask you in the spirit of the love which casts out fear to mitigate a punishment of such terrible finality and which, for the offense, is unique in our history."

Other sponsors included the Rt. Rev. Charles K. Gilbert, retired Protestant Episcopal Bishop of New York; the Rev. Dr. James Luther Adams of Meadville Theological Seminary, the Rev. Dr. Roland H. Bainton of Yale Divinity School, Dean Bernard Loomer of the Chicago University

Divinity School, and the Rev. Dr. Albert J. Penner of the Broadway Tabernacle.

Dr. Albert Einstein sent a separate plea to the White House asking that the sentences be commuted.

But the Rev. Dr. John Heuss, rector of Trinity Protestant Episcopal Church, refused to join the 1,500 clergymen in signing their plea.

The Rosenbergs' execution, set for tomorrow at Sing Sing Prison, was stayed when their lawyer filed an appeal for clemency by the President with the Justice Dept. Saturday. The recommendation may be delayed long enough to reach the White

House after President-elect Eisenhower takes office Jan. 20.

Einstein endorsed the stand taken by Dr. Harold C. Urey of the University of Chicago Institute for Nuclear Studies, who said the evidence against the Rosenbergs seemed to be contradictory and inconclusive.

The Rev. Dr. Heuss wrote the Adams, who asked him to sign the appeal for commutation, that "it is difficult for me to believe that you have not been duped into allowing your name and position to be used."

"I consider the crime which the Rosenbergs were convicted for one of the worst in the annals of mankind," he wrote.

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Einstein Urges Truman to Spare Atom Spies' Lives

President Truman had before him today a letter from Prof. Albert Einstein, world famed scientist and mathematician, asking for commutation of the death sentences of Julius and Ethel Rosenberg, convicted atomic spies. Their execution has been stayed pending outcome of a clemency appeal to the President.

The Einstein letter, sent by special delivery Sunday, was addressed to "The President of the United States" and declared:

"My conscience compels me to urge you to commute the death sentence of Julius and Ethel Rosenberg."

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 N.Y. BROOKLYN EAGLE

JAN 1 5 1953

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Rob Considine's Revealing Story:

Rosenbergs Made A-Spy Stooge of Kinn

By BOB CONSIDINE

Continued from First Page

ing on something to be called an atom bomb. "Certain interests—'fascist' in this country were depriving our great ally Russia of badly needed information about weapons with which Hitler could be more quickly defeated.

She must go to her husband and obtain from him as much information as she could memorize and bring the information back to the Rosenbergs.

The young wife was skeptical but Ethel Rosenberg brushed aside her doubts. David Greenglass himself—a technical corporal assigned improvisationally to the machine shop that was perfecting the "trigger" of the A-bomb—must be the one who decided whether or not it was proper to give the information. Young Mrs. Greenglass agreed, accepted \$150 from Julius Rosenberg, and left for New Mexico.

Rosenberg was by that time an important cog in Communist scientific spying apparatus whose chief Russian contact was Vice Consul Anatoli Yakovlev.

The Russians wanted answers to certain specific questions: the approximate number of people and names of some of the scientists employed at Los Alamos; the type of camouflage used on the installations; the security measures in force there, and the distance of the project from Santa Fe and Albuquerque.

David Greenglass was dubious at first. But he felt he owed much to his sister and brother-in-law. He coached his wife in the answers to the questions and revealed through her that among the scientists on hand were Doctors J. Robert Oppenheimer, George Kistiakowski, Neils Bohr and Harold Urey—all famed nuclear physicists.

WROTE IT DOWN.

Rosenberg was delighted with the information Mrs. Greenglass brought back with her, and still more pleased when Greenglass arrived in New York City January 1, 1945, on furlough.

Rosenberg easily persuaded Greenglass to write down everything he knew about the project. The notes were re-typed neatly by Ethel Rosenberg, who was accustomed to her brother's bad writing. Among the information revealed was a description of the "lens" device which is the heart of the A-bomb, the mechanism through which explosive fission is achieved.

During the same trip home, Rosenberg was introduced to a Russian and, during a 20-minute automobile ride through deserted New York slums, told him all he knew about the bomb. Greenglass borrowed the car for the occasion and was its driver.

Before the furlough ended, Rosenberg introduced Greenglass to a Russian courier named Ann Sidorovich, at the Rosenberg apartment, and told him to be on the lookout for her when and if she came to Albuquerque—where, it had been decided, Mrs. Greenglass would set up an apartment to be paid for by Rosenberg's Russian friends.

To make sure of the proper identification, Rosenberg took an empty raspberry Jello box, tore off one side of it, cut it in half in irregular style, and gave one part to Mrs. Greenglass for safe-keeping. The other part, he ex-

plained, and the salutation "I come from Julius," would properly identify any agent who called on the Greenglasses.

On the first Sunday in June, 1945, about six weeks before the A-bomb was tested, Harry Gold arrived at the Greenglass apartment in Albuquerque with the other half of the Jello tear-out. It had been given to him by Rosenberg's superior, Yakovlev.

So had an envelope containing \$500, which Gold—a courier now serving 30 years for his part in the conspiracy—gave to Greenglass after the latter had turned over sketches of the "lens mold" and other data. Yakovlev eventually told Gold that the Greenglass material was "extremely excellent and very valuable."

MEDAL FROM SOVIET.

In September, 1945, shortly after V-J Day, Greenglass was given another furlough. With him this time he brought sketches of the improved "trigger" used in the Nagasaki bomb and the make-up of the bomb itself. Ethel Rosenberg typed an 11-page report from his revelations.

Julius, who had by that time been secretly awarded the Soviet Order of Red Star and had been given a special console table designed to facilitate the micro-filming of other secret documents and plans he was receiving, gratefully pressed \$200 on his brother-in-law.

Rosenberg strongly urged Greenglass to apply for civilian work at Los Alamos when it came time to be mustered out, so that he could continue his spying. But Greenglass took his honorable discharge as a sergeant and returned to New York to enter the machine shop business with Rosenberg.

Rosenberg had by then been fired from his Army Signal Corps job. The FBI discovered a record of his membership in the Communist Party and the Army promptly dismissed him. Rosenberg entered a fuming protest but told intimates he was secretly relieved. The FBI report made no mention of espionage; just party membership.

While urging Greenglass to return to school at Russian expense, he had a number of other young engineers and machinists Rosenberg had taken under his wing, the spy continued to seek restricted information from two old CCNY classmates and fellow-Communists, Morton Sobell and Max Elitcher. Rosenberg was a busy man, and wholeheartedly content.

Julius Rosenberg and his wife were happy people as 1950 dawned. In addition to other favors from their Soviet masters they could now point to handsome watches. And they could bask happily in the shock of horror that had swept the United States when President Truman announced that Russia had successfully completed and tested an atomic bomb.

But one day in February, 1950, the Rosenbergs were struck across their faces with a shattering headline. Their world was beginning to collapse. Klaus Fuchs had been arrested in London. Worse, he was talking.

(TOMORROW: The abortive flight of the conspirators.)

Einstein Joins Plea To Spare Atom Spies

1500 Clerics Aid Rosenbergs, But One Refuses to Sign Letter

Prof. Albert Einstein, whose theories were a springboard to the atomic bomb, has added his name to the growing list of pleaders for the lives of Julius and Ethel Rosenberg, convicted atom spies.

This information was disclosed last night when Prof. Einstein, who lives in Princeton, N. J., declared he sent a special delivery letter last Sunday to President Truman, in whose hands the Rosenberg decision rests.

Follows Dr. Urey.

Prof. Einstein said in his letter. "My conscience compels me to urge you to commute the death sentences of Julius and Ethel Rosenberg." In this way he joined another world-famous nuclear scientist, Dr. Harold C. Urey of the University of Chicago, in pleading for the pair.

The Rosenbergs, who were convicted of giving atomic secrets to Russia, were to have been executed this week, but won a stay in Federal Court to take their case to the President.

Cites Colleague's Letter.

The aging mathematician's letter follows:

"Dear Mr. President:

My conscience compels me to urge you to commute the death sentence of Julius and Ethel Rosenberg.

logical Seminary, H. H. Bainton of Yale Divinity School; the Rt. Rev. Charles K. Gilbert, retired Protestant Episcopal bishop of New York; Rev. Dr. Robert M. Hopkins, Golden Rule Foundation; Bernard Loomer, dean of Chicago University divinity school; Rev. Dr. O. Clay Maxwell, Mount Olivet Baptist Church, New York.

Others are Robert H. Nichols, professor emeritus of Union Theological Seminary; Prof. Paul Scherer; Rev. Dr. Albert J. Penner, Broadway Tabernacle, New York; Rev. James H. Robinson, Church of the Master, New York, and the Rev. Dr. T. K. Thompson, National Council of Churches.

Bitter Response.

Their efforts brought bitter response here yesterday. It was reported, when the Rev. Dr. John Heuss, rector of Trinity Protestant Episcopal Church, made public his refusal to include his name on the "informal" list.

In a letter to Dr. Adams at Meadville Theological Seminary, he declared "I am astonished at your action." Dr. Heuss added:

"I consider the crime which the Rosenbergs were convicted for one of the worst in the annals of mankind."

The Rosenberg case went to President Truman last week when Federal Judge Irving R. Kaufman, who sentenced them, agreed to a postponement to seek the last chance at clemency. In previous efforts before the U.S. District Court, the U.S. Circuit Court of Appeals and the U.S. Supreme Court, the pair had failed to have the death penalty put aside.

"This appeal to you is prompted by the same reasons which were set forth so convincingly by my distinguished colleague, Harold C. Urey, in his letter of Jan. 15, 1953, to The New York Times.

Respectively yours,

Albert Einstein."

In his letter to The Times, Dr. Urey declared the evidence against the Rosenbergs appeared to be contradictory and "inconclusively."

1500 Clerics Join Move.

Meanwhile, more than 1500 of the nation's leading clergymen have sent a similar letter to President Truman.

The Rev. Dr. Jesse W. Stitt, of 139 W. 13th St., pastor of the Village Presbyterian Church, disclosed last night that a letter bearing more than 1000 names has been sent to the White House.

The letter, Dr. Stitt declared, urges President Truman, "in the spirit of love which casts out fear," to mitigate a punishment of "such terrible finality." He added that the group is not "partisan."

Prominent Sponsors.

"Our plea," the letter says, "does not hang on the decision of the Rosenbergs' guilt or innocence, of the degree of their wrongdoing."

Co-sponsors of the letter, with Dr. Stitt, are the Rev. Dr. James Luther Adams, Meadville Theo-

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N. Y. WORLD TELEGRAM & SUN

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1,500 CLERGY BACK ROSENBERGS' PLEA

Sign Letter to President Asking
Clemency—Reds in Paris
Protest at Embassy

Fifteen hundred Christian clergymen have signed an open letter to President Truman requesting executive clemency for Julius and Ethel Rosenberg, convicted atomic spies.

Their execution has been postponed pending the President's action on an appeal filed last Saturday by the Rosenbergs, who were originally scheduled to be put to death in Sing Sing tonight.

The names of the clergymen who signed the open letter to Mr. Truman were made public yesterday by the Rev. Dr. Jessa W. Stitt, pastor of the Village Presbyterian Church and a former president of the Manhattan division of the Protestant Council of the City of New York.

Among the sponsors of the letter were the Rev. Dr. James Luther Adams of the Meadville Theological Seminary; the Rev. Dr. Roland H. Bainton, Yale Divinity School; the Rev. Dr. Robert M. Hopkins, executive vice president of the Golden Rule Foundation; the Rev. Dr. Robert Hastings Nichols, professor emeritus of the Union Theological Seminary, and the Rev. Dr. Bernard Loomer, Dean of the Divinity School, Chicago University.

Deny Partisanship

"We are not partisans," the letter reads. "Our plea does not hang on the decision of the Rosenbergs' guilt or innocence, nor the degree of their wrongdoing. We ask you in the spirit of the love which casts out fear to mitigate a punishment of such terrible finality, and which, for the offense, is unique in our history."

This was the letter that the Rev. Dr. John Heuss, rector of Trinity Protestant Episcopal Church, refused to sign. On Monday, he announced that he had written Dr. Adams that he considered "the crime which the Rosenbergs were convicted for one of the worst in the annals of mankind."

Pleas on behalf of the Rosenbergs have recently been sent to the White House by a group of close relatives of the convicted couple.

"Time is very short," one of the letters said. "Please give these two young parents a chance to live so that some day they will be able to prove their innocence. From the time they were first arrested, with no knowledge of the charges, they said they were innocent, and maintain their innocence to this day."

CLIPPING FROM THE
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Non-Communist French Papers Back Clemency for Rosenbergs

By Walter Kerr

From the Herald Tribune Bureau
Copyright, 1953, New York Herald Tribune Inc.

PARIS, Jan. 13.—The vast majority of non-Communist newspapers in France continued to urge today that the death sentences of Julius and Ethel Rosenberg, convicted atomic spies for Russia, be commuted to life imprisonment.

Communist newspapers, backed by telegrams, letters and petitions to the American Embassy in Paris, contended that they had been wrongly convicted and should be freed.

A small police detail was stationed in front of the embassy building during the day, which the Communists had proclaimed "the national day to save Ethel and Julius Rosenberg." Communist petitioners arrived in small groups and left their papers at the door, but there was no disorder.

The non-Communist newspapers—from the liberal Left to the extreme Right—acknowledge the guilt of the Rosenbergs and proclaim that the trial was fair. On the other hand, they consider that the sentence was either too severe in the first instance or, on appeal to President Truman, should be commuted.

Mixed reasons are given for this point of view in "Le Figaro," "L'Aurore" and "Franc-tireur." They note that other atomic spies escaped the death penalty. They also are afraid the Communists will be provided with propaganda martyrs.

The conclusion they arrived at

was not reached entirely on unfamiliarity with the case. The Communist campaign in defense of the Rosenbergs was strong in November. It was stronger last month, when the American Embassy here, unable to get a full report on the case from the State Department, sent an attache to New York to obtain the facts.

The attache returned and wrote a 7,000-word objective report in French. Two hundred copies were delivered to newspapers and magazines and much of the editorial comment has been based on this report. Since then, at the State Department's request, 300 copies in English have been sent to Washington and to fifty-five foreign embassies, legations and consulates.

The document convinced the French press of the Rosenbergs' guilt, but the editorial writers felt that the sentence should be commuted in any event.

This is not true of "Le Monde," whose material, written by Henri Pierre, contained some of the inaccuracies included in a recent Communist pamphlet. Nor is it true of the Socialist newspaper, "Le Populaire," whose writer also questioned the conviction. But it is true of the rest of the non-Communist press in Paris and in the provinces, probably to a greater degree than has been reported from Italy, Belgium and other near-by countries.

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1,500 Pastors Urge Clemency For Atom Spies

A appeal to President Truman, signed by more than 1,500 Protestant clergymen, to commute the



Rev. Dr. J. W. Stitt

death sentences of atom spies Julius and Ethel Rosenberg was made public yesterday by the Rev. Dr. Jesse W. Stitt, pastor of the Village Presbyterian Church and former president of the Manhattan division of the Protestant Council

of the City of New York. "We are not partisans," said the appeal, in the form of an open letter. "Our plea does not hang on the decision of the Rosenbergs' guilt or innocence, nor the degree of their wrongdoing. We ask you in the spirit of the love which casts out fear to mitigate a punishment of such terrible finality and which, for the offense, is unique in our history."

Dr. Stitt said the letter, with the names of 1,000 signers attached, had been sent to the President, with a followup telegram stating that more than 500 additional signatures had been received Monday.

Initial sponsors besides Dr. Stitt included the Rt. Rev. Charles K. Gilbert, retired Protestant Episcopal Bishop of New York; Rev. Dr. O. Clay Maxwell, pastor of Mount Olivet Baptist Church, New York; Rev. Dr. Albert J. Penner, minister of the Broadway Tabernacle; Rev. Dr. Robert M. Hopkins, executive vice president of the Golden Rule Foundation; Rev. Dr. Robert Hastings Nichols, professor emeritus of Union Theological Seminary; Rev. Dr. Roland H. Bainton of Yale Divinity School and Rev. Dr. Bernard Homer, dean of the Chicago University divinity school.

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JAN 14 1953
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Rosenberg Stay May Be Left To Eisenhower

White House Says Truman
May Not Have Time to
Act by Noon on Tuesday

By Robert J. Donovan

WASHINGTON, Jan. 13.—With each day that passes it is becoming more likely that Gen. Eisenhower, when he becomes President, will have to make the decision on whether to grant clemency to Julius and Ethel Rosenberg.

White House officials said today it is now a toss-up whether there will be time for President Truman to act in the case of the convicted atomic spies, who have been sentenced to death, before he retires from office at noon Tuesday.

How It Now Stands

The case is not yet physically before the President, although it is technically so, according to White House spokesmen, in the sense that it is in the hands of the pardon attorneys in the Justice Department who are the President's legal advisers in clemency cases.

The way the matter stands today is this:

The clemency appeal was filed at the Justice Department at 9:30 a. m. Saturday. Since then the office of the pardon attorney, Daniel S. Lyons, has been studying the appeal and going through the prescribed practice of soliciting the opinions of the staff of prosecuting attorneys in New York and of Judge Irving R. Kaufman, of the United States District Court in New York, who sentenced the couple to death in March, 1951.

According to the Justice Department, Judge Kaufman's views have not yet been received and only incomplete reports have come in from the prosecuting staff.

Once all the material has been received and studied, Mr. Lyons will send a report on the case to Attorney General James P. McGranery, either with or without recommendation. The Attorney General will then consider the report and send it to the White House with his recommendation.

5½ Days in Presidency

All this, of course, takes time, and, excluding Sunday, Mr. Truman has only five and a half days left in office. In that period he has a heavy load of correspondence to clean up and several engagements, such as his weekly press conference Thursday afternoon and his farewell address on the radio and television at 10:30 p. m. Thursday.

Furthermore, the President is understood to feel that no clemency case—and certainly not one as important as this—should receive hasty consideration and snap judgment in the White House. Thus, if the papers in the case are much longer in reaching him—and there is as yet no word at the Justice Department as to when they will be sent—it is unlikely that Mr. Truman will attempt to act before his term ends at noon Tuesday.

Judge Kaufman has issued a stay of execution until five days after the President's decision—whether Mr. Truman's or Gen. Eisenhower's—has been announced.

Two sets of pickets were at their posts outside the White House again today. One group, urging clemency, carried placards reading, "Write and wire the President—clemency for the Rosenbergs." The second group, which was picketing the first, urged, "No mercy for the traitors." One of the second group carried a sign with a picture of an electric chair and the caption, "Let 'em have it, Harry."

The District of Columbia Department of the American Legion, meanwhile, urged the President to "let the Rosenbergs die" and "become Communist martyrs."

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The Lyons Den

By Leonard Lyons



There is less likelihood now of Mr. Truman's having time to act in the Rosenberg case before he leaves office. The attorney for the doomed Atom Bomb spies filed an appeal for clemency with the Pardons Attorney. Asst. U. S. Atty. Jim Kilsheimer, who is opposing the appeal, received the papers only yesterday. The Pardons Attorney won't have all the documents before Thursday noon. This leaves only 4½ days for him and Mr. Truman to examine and weigh all the facts . . . LaVerne Andrews, of the Andrews Sisters, will adopt a baby during her visit to N. Y. next week . . . Gerhardt Puff, who shot and killed an FBI man here and is awaiting trial for murder, decided to change his lawyers. He wired Jerry Giesler, the Los Angeles criminal lawyer, asking him to take the case. Giesler refused . . . Bernard M. Buruch probably will be unable to attend the inaugural. He's staying at his Carolina plantation.

Jim Hagerty, who will be the new White House press secretary, served as Dewey's press secretary in Albany. In the last three Presidential campaigns Hagerty has worked as press secretary for the Republican candidates. This year, with Eisenhower, he at last has made it—the move from Albany to Washington . . . His White House salary will be \$18,000 a year. In Albany, he received \$19,500 as salary, plus \$3,000 allowances—\$22,500 a year. His move to Washington therefore will cost Hagerty \$4,500 a year.

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MAY NOT DIE FOR 'CRIME WORSE THAN MURDER'



This final gesture of "live and let live," says another who knows the President well, will be his Big Exit—putting him into history books of the future, perhaps, as "a man of compassion, sympathy and understanding."

OUT OF WASHINGTON also came the latest Defense Department figures on total American casualties in Korea. As of yesterday's tabulations they were: dead, 22,627; wounded in action, 93,129; missing in action, 11,381. Total casualties, 127,137.

Ethel and Julius Rosenberg, man and wife, were convicted March 29, 1951, of conspiring to deliver secret information on the atomic bomb to Soviet Russia. They were sentenced to death on April 5, the same year, by Federal Judge Irving R. Kaufman. The conviction was upheld by the United States Court of Appeals in February, 1952.

On Oct. 13, 1952, the Supreme Court refused to review the Rosenbergs' appeals by a vote of 8 to 1. After Judge Kaufman denied an application to reduce the couple's sentence, their last hope lay in Presidential clemency.

JUDGE KAUFMAN gave them

until Jan. 10 to make this plea, which was duly made. In the judge's interpretation, this meant an automatic stay of execution—originally scheduled for today, Jan. 14, in Sing Sing—until five days after the President announces his decision.

ETHEL AND JULIUS ROSENBERG

Truman expected to save A-spies—maybe at the last minute. (AP Photo)

Rosenbergs Stay Hinted

Say Truman Will Delay Reprieve

By **WALTER WINCHELL**
Noted Columnist

Distributed by International News Service

The President is expected to commute the death sentences of atom spies Ethel and Julius Rosenberg, according to high government officials who are on intimate terms with the Chief Executive.

Truman may delay his order of reprieve until the last final moment—like the leading actor in an old-fashioned melodrama. On Broadway, they call it stealing the show.

He has never ordered anyone executed in his life and he doesn't believe in capital punishment, this reporter was told.

"FEELING OF REVULSION."

And while he ordered the A-bombs dropped on Hiroshima and Nagasaki, causing the deaths of 152,034 persons altogether, he has been quoted as saying he would order the A-bomb dropped again, if necessary, but that he was never gotten over the feeling of revulsion that swept him at the time.

Our source reminded us that President Truman has pardoned more felons than any other U.S. chief executive—including Mayor James Curley, of Boston; former Rep. Andrew May (D-Ky), and former Rep. Parnell Thomas (R-N. J.).

This final gesture of "live and let live," says another who knows the President well, will be his big exit—putting him into history books of the future, perhaps, as "a man of compassion, sympathy and understanding."

APPEALED TO PRESIDENT.

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In the judge's interpretation, this meant an automatic stay of execution—originally scheduled for Jan. 4, in Sing Sing—until five days after the President announces his decision.

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TRAINING UNIT

Bob Considine's A-Spy Case History:
**How Rosenbergs
 Planned to Flee**

The following article, fourth in a series by famed reporter Bob Considine telling "The Rosenberg Story," describes plans for flight made by Julius and Ethel Rosenberg, now awaiting death in Sing Sing's electric chair, when the big atomic spy conspiracy of which they were a part began to become known.

By BOB CONSIDINE
 International News Service Staff Correspondent
 World Copyright, 1953. By International News Service

In his charge to the jury in whose hands rested the fate of Julius and Ethel Rosenberg, Federal Judge Irving Kaufman raised an intricate legal point concerning flight to avoid arrest.

There had been much testimony in the trial about the efforts of the Rosenbergs to persuade ex-Sgt. David Greenglass and his wife and two small children to escape through the Iron Curtain via Mexico.

This was after the arrest of Dr. Klaus Fuchs and subsequently his courier, Harry Gold, had made it plain to Rosenberg that Greenglass and he would soon be apprehended.

CHARGE TO JURY.

"I charge you," Judge Kaufman told the jurors, "that evidence of flight does not create any presumption of guilt, although it is a legitimate ground for an inference of a guilty mind, if the jurors conclude that such inference is justified.

"Flight is a circumstance which the jury may consider as having a tendency to prove the guilt of a defendant, as an indication of a consciousness of guilt. It should not be considered alone and by itself."

Flight was uppermost in the mind of Julius Rosenberg that stricken day in February, 1950, when he and his wife, Ethel learned that Dr. Fuchs had been arrested in London and was talking.

Rosenberg raced to the miserable cold water flat of the Greenglasses on New York's Lower East Side to tell him the significance of the news.

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Judge to Set Rosenberg Death Date; Not Told of Papal Plea (Nor Was Ike)

By BETSY LUCE

Federal Judge Kaufman, in announcing he would set a new date for the execution of the intercession of Pope Pius XII in the case.

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NEVER MET FUCHS.

David Greenglass did not know Fuchs. But he had met Harry Gold, and had passed atomic information to Gold in exchange for \$500 given to Gold by Russian Vice Consul Anatoli Yakovlev, Rosenberg's superior in a scientific spying apparatus.

What Rosenberg did not know was that Fuchs never knew Harry Gold's name, his profession or his place of business. Fuchs knew Gold only as "Raymond."

From a casual description Fuchs gave of the meek-looking Gold, an obscure Philadelphia chemist, the FBI tracked him down by May of 1950, one of the more masterful man-hunts in the history of crime detection.

The three-month period between the arrest of Fuchs and that of Gold was a frantic time for Julius and Ethel Rosenberg.

They had had personal troubles with Greenglass, Mrs. Rosenberg's brother who had supplied the spying pair with a tremendous amount of information he picked up while working as a machinist at Los Alamos, New Mexico. The machine shop in which he had become a partner with Rosenberg after the war was doing badly; Julius appeared to be the only one prospering, and Greenglass had repeatedly asked for just recompense for his work therein.

VOWED TO PAY DEBTS.

Now, as he urged Greenglass to leave for Mexico immediately, in the wake of Fuchs' arrest, Rosenberg promised to pay the ex-sergeant's debts.

He made inquiry of a doctor about the "shots" the Greenglasses would need, ascertained the least conspicuous place to pick up travel cards, and outlined the path they would travel to safety behind the Iron Curtain.

Greenglass would not budge. When the newspapers announced Gold's arrest, Rosenberg took more positive action. He gave Greenglass \$1,000 and promised that an additional \$5,000 would be forthcoming.

Czechoslovakia and from there to Moscow, where a job would await him. There were bizarre in-

instructions as to how he could recognize Soviet agents while passing through the escape route.

On May 30, 1950, Greenglass finally stirred. He had six sets of passport pictures taken of his little family, and early in June accepted \$4,000 from Rosenberg.

He wavered again, to the horror of the Rosenbergs, and delayed his departure—turning the money over to another brother-in-law, one Louis Abel, for safe keeping.

Harry Gold was by then "singling" one of the longest confessions in U. S. crime annals. In time he came to Greenglass' role. Greenglass was taken into custody and appeared to be relieved to tell what he knew.

He quickly agreed to become a Government witness, and because of his stunning cooperation—which brought his sister and brother-in-law to the sentence of death in the chair—he later drew a 15-year prison sentence.

GIFTS PROMISED.

Mrs. Greenglass, chiefly responsible for persuading her husband not to attempt to flee, at a time when the family might have made a clean getaway, was given no sentence.

The Greenglasses were to go first to Mexico, thence to Sweden.

The arrest of Greenglass caused Ethel Rosenberg to call

immediately on Mrs. Greenglass and promise to shower her with gifts if she could prevail upon her husband not to implicate the Rosenbergs.

Simultaneously, Morton Sobell, a former CCNY classmate of Rosenberg who had been giving restricted information to the spy off and on for a decade, fled to Mexico. His activities there followed roughly the pattern Rosenberg had outlined to Greenglass, including the adoption of aliases and the use of Vera Cruz as a launching place.

Sobell was picked up by Mexican security police on the request of the U. S. Government, claimed to have been beaten badly by the Mexican officers, and

was turned over to the U. S. Immigration office at Laredo, Tex. He was indicted, convicted, and was given the maximum prison sentence prescribed by the Espionage Act of 1917—30 years.

For reasons never properly explained, the Rosenbergs tarried in this country for weeks after sounding their first alarms to the Greenglasses.

It was not until late May or early June, 1950, that the Rosenbergs appeared at the photo shop of a Ben Schneider, who has a small place of business at 99 Park Row, and had passport photos taken of themselves and children.

Schneider, a stunning surprise witness produced by the Government at the end of the Rosenberg

trial, and permitted to testify over the protests of Emanuel Bloch, defense attorney, said that he recalled the Rosenbergs because they came in on a Saturday—usually a bad day for him—spent \$9, their children acted up, and Mrs. Rosenberg had volunteered that they were traveling to France to pick up an endowment left to her.

The Government used Schneider's testimony to prove to the satisfaction of the jury that the Rosenbergs contemplated flight, and the jury ruled that this act was, indeed, "an indication of consciousness of guilt."

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Clemency Denied

Since April, 1951, when a jury convicted Julius and Ethel Rosenberg of sending atomic bomb secrets to Russia and Federal Judge Irving Kaufman sentenced them to death, the Rosenbergs have made six appeals to the courts, a petition for commutation of their sentence and an appeal for Presidential clemency. All have been denied.

The Presidential denial was announced last Wednesday. President Eisenhower said in a statement that he had rejected the clemency plea because the Rosenbergs had been accorded their "full measure of justice" and because their crime "could very well result in the death of many, many thousands of innocent citizens."

Although in non-Communist circles there is no disposition to question the Rosenbergs' guilt, there has been a good deal of debate over their sentence. Those who oppose it argue that the Rosenbergs would be the first persons ever executed in the United States during peacetime on charges of espionage; that the Rosenbergs committed their wartime espionage at a time when the United States was

allied with Russia; that the execution will make the Rosenbergs martyrs.

The other side of the argument is that the Rosenbergs' espionage involved a weapon capable of destruction on a hitherto unknown scale; that they tried to commit espionage after the war when Russia was no longer allied with us and would do the same thing today if they could; that they have refused to do anything to help the United States track down other spies.

The essence of the Communist campaign is that the Rosenbergs are innocent and were framed because they are Jews (Judge Kaufman, the chief prosecutor and the chief prosecution witnesses also are Jews.) As part of this campaign, the Communists have charged that Pope Pius XII—who sometimes intervenes on charitable grounds to try to save human lives—had refused to ask for mercy for the Rosenbergs.

Last Friday the Vatican announced that the Pope had sought clemency for the Rosenbergs. The appeal went to the Justice Department in December but former Attorney General James P. McGranery took the view that "it was up to us to act according to our own laws and conscience." Evidently this appeal by the Pope did not come to President Eisenhower's attention before he denied the Rosenbergs clemency. Yesterday, however, the White House announced it had received a letter from the Apostolic delegate to Washington on Friday night. The new communication was not a direct appeal for clemency. But it stated that the Pope wanted "to inform" the President "that many new demands are being received at the Vatican urging the Holy Father to intervene for clemency in behalf of the Rosenbergs and that leftist newspapers insist that His Holiness has done nothing."

James C. Haggerty, the White House secretary, asked whether the President would now reconsider the case, said only, "The statement he issued on the Rosenbergs speaks for itself."

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Judge to Set Spy Death Day —Not Told of Papal Appeal

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bring to the attention of the U. S. civil authorities."

The Pope had been attacked by Communists for not intervening in the Rosenberg case, and many Catholics in Europe urged him to take a hand. However, since the U. S. has no diplomatic relations with the Vatican, the action took the form it did, which led to the confusion.

Balks at Long Delay

In setting Monday as the new date for sentence, Judge Kautman told Bloch he would not agree to his request for a delay of four to eight weeks.

"I do not think any purpose would be served by further delay, except to increase the mental anguish of the defendants and possibly to raise false hopes for them," he said. "I will fix the new date for executions of sentence, but it will not be four to eight weeks.

"You will be able to exhaust every judicial remedy you have open to you, but you will have to move with dispatch."

Tuesday Bloch will appear before three judges of the U. S. Court of Appeals to apply for a stay of the new date of execution. If that court turns him down, he can go direct to the U. S. Supreme Court.

Says Visit Death Row

Bloch is visiting the Rosenbergs Saturday at Sing Sing where they have been in the

death row since April, 1951. He is taking their two young sons with him.

The Communist Party and others stepped up their campaign to save the Rosenbergs. The French Communist Party called for new protest visits to U. S. embassies and consulates.

A petition for Presidential clemency was sent to Washington by a group of Boston Protestant clergymen and rabbis. However, some of those listed said they had signed weeks ago before Mr. Eisenhower acted. The petition was delayed, a spokesman said, to wait for additional names.

~~Emanuel H. Bloch~~, the Rosenbergs' lawyer, called for an investigation of the Justice Dept. to determine if it kept the Pope's message "and any other important data on the case" away from the White House.

The disclosure Friday by the Vatican newspaper, *L'Osservatore Romano*, and by the Apostolic Delegation in Washington that such a communication had been sent to the Justice Dept. in December gave Bloch a new avenue of approach in trying to save his clients from the electric chair.

The announcement posed a mystery, since neither the White House nor the Justice Dept. had any record of such a communication.

Missing in Record

White House press secretary James C. Hagerly investigated and said there was no such record in the papers on the case transmitted by Daniel M. Lyons, pardon attorney.

It was on the basis of these papers, and his own independent consideration of the case that President Eisenhower turned down an appeal for clemency Wednesday.

The Most Rev. Amleto Giovanni Cicognani, head of the Apostolic Delegation, declined to reveal to whom the message had been communicated.

Received Urgent Appeal

He merely announced that at the request of the Holy See, the delegation "communicated to the Dept. of Justice the fact that the Holy Father had received numerous and urgent appeals for intervention with intercession in behalf of Julius and Ethel Rosenberg, which, out of motives of charity proper to his Apostolic Office without being able to enter into the merits of the cases, His Holiness felt appropriate to

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Two Sons Visit Rosenbergs in Death Corridor

By EDWARD O'NEILL

Atom spies Julius and Ethel Rosenberg were reunited for two hours yesterday with their two small sons in a corridor of the death house at Sing Sing. The boys, Michael, who will be 10 in March, and Robert, 5½, brought Valentines for their execution-bound parents.

The Rosenbergs kissed their youngsters, told them again that they were innocent—"would we be suffering like this if we were guilty?"—then dictated a defiant statement in which they declared that if they die in the electric chair this country will be "forever shamed."

Charge Perjury.

"Obviously, President Eisenhower was misled when he stated that we had 'exercised all rights of appeal,'" said the Rosenberg statement, which was released by their attorney, Emanuel H. Bloch.

"The truth is," it continued, "at this very moment we are pursuing an appeal to the U. S. Supreme Court from the denial of our application to set aside our convictions, because they were obtained by the knowing use of perjury and other illegal means.

"We charge a conspiracy to commit murder against us. The truth will smash this conspiracy. We are confident that President Eisenhower will reconsider his decision and punish the perpetrators of this foul play.

"The exposure of the deliberate concealment of Pope Pius' sentiments from both President Eisenhower and former President Truman is dramatic confirmation of the fraud that has been practiced in our proceedings from the start.

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No Rosenberg Clemency

A radio program was going through the loudspeaker in the death house at Sing Sing prison Wednesday afternoon, and among the listeners were Julius Rosenberg and his wife, Ethel. The program was interrupted at 5:20 p. m. for a news announcement: President Eisenhower refuses to commute the death sentence imposed upon Julius and Ethel Rosenberg.

The Rosenbergs, native New Yorkers, are in their mid-thirties and have two sons, one nine and one five. They were convicted in March, 1951, of having passed atomic secrets to Russia, and were sentenced to die by Judge Irving R. Kaufman. All their court appeals were unsuccessful, as was their plea for clemency to the President. Judge Kaufman is to set an execution date tomorrow. The Rosenbergs are the first citizens in the history of American civil jurisprudence to face death for espionage in behalf of a foreign power.

The court testimony linked the Rosenbergs with the international spy ring of which the British atomic scientist, Dr. Klaus Fuchs, was a member. Mrs. Rosenberg's brother, David Greenglass, testified that she and her husband had persuaded him to betray secrets while he was a soldier attached to the Los Alamos, N. M., atomic bomb project in the closing months of the war. Greenglass, who repented, is serving a fifteen-year prison sentence. The Rosenbergs have always insisted that they were innocent.

Communist organizations both here and abroad have protested against the Rosenberg death sentence. Many non-Communists appealed for clemency, too. Fifteen hundred clergymen backed the Rosenbergs' plea. So did Albert Einstein, the physicist who suggested atomic bomb possibilities to President Roosevelt. Pope Pius XII made representations in behalf of the Rosenbergs—as an act of charity, not in judgment of the merits of the case—through the Apostolic Delegation in Washington last December. The delegation said it had notified the Justice Department of the Pope's interest. The communication was made orally to former Attorney General McGranery. No written record was in the files.

In refusing clemency, Eisenhower said their crime "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." He noted that "we are a nation under law," and that the Rosenbergs' conviction was "upheld after four judicial reviews, including that of the highest court in the land." Therefore, he was "satisfied that the two individuals have been accorded their full measure of justice."

MARCUS DUFFIELD.

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Rosenbergs Visited By Their Children

Lucy Takes Two Boys to Death House

Special to the Herald Tribune

OSSINING, N. Y., Feb. 14.—
 Two small boys bearing Valentine
 gifts for their parents, Julius and
 Ethel Rosenberg, condemned atom
 spies, made their second visit of
 the year today to Sing Sing Prison
 death house.

As on previous visits over the
 past two years, the boys were ac-
 companied by Emanuel H. Bloch,
 the Rosenbergs' attorney, who later
 told reporters that the boys,
 Michael, nine, and Robert, five,
 went first to see their mother, the
 sole occupants of the women's
 wing of death row. Both boys,
 the attorney said gave her Valen-
 tine gifts, then visited their father
 in a cell in the men's section of
 the death house.

The visit lasted from noon un-
 til 3:20 p. m., when Mr. Bloch
 emerged from the grey stone
 building leading the two children.
 He posed for photographers and
 read two statements, one from the
 Rosenbergs, who are under sen-
 tence to die for betraying United
 States atomic secrets to Soviet
 Russia, and a telegram he said he
 sent to President Eisenhower seek-
 ing executive clemency for the
 couple.

Copies of the telegram, sent
 Friday night but revealed for the
 first time here today, Mr. Bloch
 said, were also sent to Attorney
 General Herbert Brownell jr.; Lt.
 Gen. Walter Bedell Smith, Under
 Secretary of State, and Sen. Wil-
 liam Langer, R., N. D., member of
 the Senate Judiciary Committee.

In both messages unnamed gov-
 ernment officials were accused of
 deliberately withholding the com-
 munication from Pope Pius XII
 from President Eisenhower and
 former President Truman.

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Move to Get St. Laurent To Aid Rosenbergs Fails

OTTAWA, Feb. 14 (UP).—The Leftist-inspired National Committee to Save the Rosenbergs failed in an attempt today to interview Prime Minister Louis St. Laurent and seek his help in its campaign for clemency for the United States atomic spies.

Five representatives of the committee, headed by the Rev. Glendon Partridge, St. Catharines, Ont., clergyman, called at the Prime Minister's office. The Rev. Mr. Partridge said the staff of the Prime Minister's office said Mr. St. Laurent was busy today and they should seek an interview by letter.

The committee representatives appeared at Mr. St. Laurent's office after pickets from Montreal, Ottawa and Toronto began picketing the American Embassy here, urging American authorities to spare the lives of Julius and Ethel Rosenberg.

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Pope's Spy Appeal Finally Reaches Ike

By JAMES PATTERSON
of THE NEWS Bureau

Washington, D. C., Feb. 14.—The White House was finally notified officially late yesterday that last December Pope Pius XII had communicated with the Justice Department on behalf of condemned atom spies Julius and Ethel Rosenberg.

Presidential press secretary James Hagerly indicated later that President Eisenhower will stand firm on his refusal to save the pair from the electric chair.

The mystery as to the whereabouts of the Pope's appeal was dispelled today by former Attorney General James McGranery.



James McGranery

In a telephone interview from Palm Beach, McGranery told THE NEWS that there were no papers in Justice Department files on the plea, because "the Apostolic Delegate and the Pope never submitted anything to me in writing."

Saw Him in December.
McGranery said the Apostolic Delegate to the U.S., Archbishop

Amleto Cicognani, told him in December that the Pope had been receiving a large number of clemency petitions on the case.

McGranery, a Catholic who has been knighted by the Pope, said he told the Apostolic Delegate that the Justice Department "would consider only facts relating to the merits of the case," in reviewing the executive clemency appeal.

No Information on Merits.

The Apostolic Delegate replied, McGranery said, that the Pope had no information on the merits of the case or on the validity of the petitions but merely wanted to pass on to the proper U. S. authority the fact that the Vatican was receiving many requests for intercession on behalf of the condemned pair.

"Therefore they (the appeals) did not become part of our deliberations," McGranery said. "I did not transmit this message to

the President or the State Department."

In a letter to Sherman Adams, assistant to the President, dated yesterday, Archbishop Cicognani confirmed the fact which he had already announced publicly, that in December he talked to a Justice Department official on the Pope's interest in the Rosenberg matter.

"Furthermore," the letter said, "I am directed by the Holy See to inform the competent United States authorities that many new demands are being received at the Vatican urging the Holy Father to intervene for clemency in behalf of the Rosenbergs and that leftist newspapers insist that His Holiness has done nothing. I will be most grateful if you will kindly notify this to the President."

In a statement accompanying the release of the letter today, the White House said: "The President was notified of the receipt of this letter and expressed his thanks for this courtesy."

When Hagerly was asked if the Pope's message would have any effect on Ike's refusal to grant a pardon, he referred reporters to the President's statement of Wednesday in which he refused to set aside the court's verdict. That statement "speaks for itself," Hagerly said.

Ike's message said in part: "There has been neither new evidence nor have there been mitigating circumstances which would justify altering this decision."

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Rosenbergs to Get Death Date Today

Federal Judge Irving R. Kaufman sets a new date today—possibly during the first two weeks of March—for the electrocution of atom spies Julius and Ethel Rosenberg.

Judge Kaufman turned down Friday a request by Emanuel H. Bloch, attorney for the condemned couple, to set the new date four to eight weeks after today. He told Bloch: "I think the time has come for justice to proceed."

The Rosenbergs, convicted in March, 1951, of passing this country's atomic secrets to Russia, originally had been scheduled to die in Sing Sing Prison's electric chair Jan. 14. Judge Kaufman granted them a stay of execution Jan. 5 so they might apply for executive clemency. It was denied by President Eisenhower Wednesday.

Another Stay Sought

With the setting of a new execution date, Bloch planned to go into the Circuit Court of Appeals tomorrow to seek another stay of execution, this time so he could appeal to the Supreme Court for a new trial.

The Supreme Court already has turned down two appeals and other courts have denied four other requests. In addition, Kaufman has turned down a petition for commutation of sentence.

If the Appellate Court refuses Bloch's request for a stay, he still may apply to the Supreme Court for a similar order.

The Rosenbergs, who have been in Sing Sing Prison's death row almost two years, were visited Saturday by their two sons, Michael, 10, and Robert, 5.

Couple Still Confident

The couple issued a statement in which they said they were "confident" President Eisenhower would reverse his decision denying them clemency. They claim their conviction was a "fraud" and said this was proved by "f

deliberate concealment of Pope Pius' sentiments" from Mr. Eisenhower and former President Truman.

Former Attorney General James P. McGranery said Saturday that the Apostolic Delegate in Washington had discussed with him in December the fact that Pope Pius XII had received many appeals to intervene in behalf of the Rosenbergs. However, no specific request for clemency was made, McGranery said.

McGranery said his conversa-

tion with the Apostolic Delegate was not included in the file sent to the White House because the Justice Dept., in preparing recommendations for the President, wanted to consider "only facts relating to the merits of the case."

A new communication from the Apostolic Delegation, received at the White House Saturday, also did not directly ask for clemency. It also reported the numerous appeals asking intercession received by the Pope.

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Acts Today:

Judge to Set A-Spies' Death

Federal Judge Irving R. Kaufman today was to set the execution date for Ethel and Julius Rosenberg, atom-bomb spies whose clemency appeal has been denied by President Eisenhower.

The two Soviet espionage agents, through their attorney, have asked for a stay of several months, but Kaufman is expected to schedule their execution within the next 30 days.

Only action by the Supreme Court, which has twice refused to review the case, can further delay the Rosenbergs' date with the electric chair at Sing Sing.

Emmanuel Bloch, lawyer for the Rosenbergs, has said he will appear before the United States Circuit Court of Appeals tomorrow for a postponement of execution, pending his appeal to the Supreme Court for a new trial.

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Judge Kaufman Signs Writ Dooming the Rosenbergs

By HOWARD RUSHMORE

Julius and Ethel Rosenberg, convicted A-bomb spies, must die in Sing Sing's electric chair the week of March 9.

This was the new execution date set today by Federal District Judge Irving R. Kaufman.

In a brief ceremony, made without comment in his chambers, Judge Kaufman affixed his signature to an order submitted to him by Asst. U. S. Atty. James B. Kilshelmer 3d.

The actual electrocution, according to U. S. Marshal William Carroll, probably will take place Thursday, March 12, at 11 p. m., unless the date and hour conflict with other possible executions.

Rosenberg, 34, and his wife, 36, were convicted March 29, 1951, of taking part in a conspiracy to transmit atomic secrets from this country to the Soviet Union.

Judge Kaufman sentenced them to death April 5, 1951, calling their crime one that "dwarfed" murder.

Subsequent legal appeals have all been denied. Last week President Eisenhower denied their request for executive clemency. He agreed with Judge Kaufman that the crime of the husband and wife was "worse than murder."

Today's proceeding was, "ex parte," meaning none of the principals involved was present or required to be.

DEFENCE ASKED DELAY.

Kaufman's action to set an early execution date came after Emanuel H. Bloch, attorney for the two Soviet espionage agents, had asked for a stay of several months.

Only action of the U. S. Supreme Court, which has twice denied a review, can further delay the Rosenbergs' date with death.

They are the first in U. S. history to face the supreme penalty for espionage meted out by

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EXECUTION OF ROSENBERGS SET FOR WEEK OF MARCH 9

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a civil court.

Setting of the new execution date came amid a growing clamor over the case.

Hundreds of men and women continued 24-hour-a-day picketing of the White House in protest against the death penalty.

For the second time, the Roman Catholic Apostolic Delegation in Washington informed the Government that Pope Pius has received large numbers of pleas for mercy.

Scores of letters and telegrams continued to be received by Judge Kaufman. The Rosenbergs originally were scheduled to die Jan. 14. A stay was granted to permit the unsuccessful Presidential appeal.

Last Saturday, the lower East Side couple had a farewell visit in the Sing Sing death row from their two young sons, Michael, 9, and Robert, 5.

WILL ASK COURT FOR STAY.

Bloch is to appear before the U. S. Court of Appeals tomorrow to ask another stay of execution pending his third appeal to the Supreme Court, although there admittedly was little chance of success.

Speaking of press coverage at the double execution, Marshal Carroll said one representative each from the International News Service, the Associated Press and the United Press will be permitted to attend.

He declared relatives of the doomed couple may not be present under Federal law. The U. S. Government is using the State facilities at Sing Sing and since April of 1951 has paid some \$18,000 for maintenance of Mrs. Rosenberg alone.

Four matrons on eight-hour shifts have been required.

of execution, this time so he could appeal to the Supreme Court for a new trial.

The Supreme Court already has turned down two appeals and other courts have denied four other requests. In addition, Kaufman has turned down a petition for commutation of sentence.

If the Appeals Court refuses Bloch's request for a stay, he still may apply to the Supreme Court for a similar order.

The Rosenbergs, who have been in Sing Sing Prison's death row almost two years, were visited Saturday by their two sons, Michael, 10, and Robert, 5.

The couple issued a statement in which they said they were "confident" President Eisenhower would reverse his decision denying them clemency. They claimed their conviction was a "fraud" and said this was proved by "the deliberate concealment of Pope Pius' sentiments" from Mr. Eisenhower and former President Truman.

Former Attorney General James P. McGranery said Saturday that the Apostolic Delegate in Washington had discussed with him in December the fact that Pope Pius XII had received many appeals to intervene in behalf of the Rosenbergs. However, no specific request for clemency was made, McGranery said.

By MALCOLM LOGAN

—Federal Judge Kaufman today ordered the atom-bomb spies, Julius and Ethel Rosenberg, executed during the week of March 9.

He signed the order in his chambers and neither defense attorney Emanuel H. Bloch nor any member of the U. S. Attorney's office was present at the ex parte proceeding.

U. S. Marshal William Carroll said he would go to Sing Sing tomorrow to arrange a definite day and hour for the electrocution with Warden Denno. He said the hour would probably be the traditional one—11 p. m.—and he would suggest Thursday, March 12 as the day, unless a state prisoner is to be executed then.

Warden Denno of Sing Sing told The Post that the state had an execution scheduled for March 12 and that it would therefore be impossible to turn over the death chamber to the federal government that night.

The Rosenbergs in their death house cells had not yet been notified of Judge Kaufman's order, giving them only three weeks and a few days more of life. There was no possibility that they could hear the news over the radio for hours, because it is not turned on until the work day ends at 3:30 p. m.

Bloch was out of the city today on another case and his office said he was not expected back until late today.

Rejects New Plea

On Friday, Judge Kaufman refused his request to defer resentencing the couple four to eight weeks.

"I think the time has come for justice to proceed," the judge said.

The Rosenbergs, convicted in March, 1951, of passing this country's atomic secrets to Russia, originally had been scheduled to die in Sing Sing Prison's electric chair Jan. 14. Judge Kaufman granted them a stay of execution Jan. 5 so they might apply for executive clemency. It was denied by President Eisenhower Wednesday.

With the setting of a new execution date, Bloch planned to go into the Circuit Court of Appeals tomorrow to seek another stay



JUDGE IRVING R. KAUFMAN

MONDAY, FEBRUARY 14, 1951

ROSENBERGS TO DIE WEEK OF MARCH 9

ROSENBERGS TO DIE WEEK OF MARCH 9

Judge Kaufman Sets New Date
—3-Member Circuit Court to
Hear Defense Plea Today

By WILLIAM R. CONKLEN
Federal Judge Irving R. Kaufman yesterday set the week beginning on March 9 as the new date for execution of death sentences upon Julius Rosenberg and his wife, Ethel, who were found guilty on March 29, 1951, of conspiracy to commit espionage in transmitting atomic secrets to Soviet Russia.

Last Friday Emanuel H. Bloch, counsel for the Rosenbergs, had asked Judge Kaufman for a delay of four to eight weeks. The judge said he thought that period would be excessive and indicated that he would allow two to three weeks. In the order he signed yesterday in District Court he granted the three-week interval.

William A. Carroll, United States Marshal, will go to Sing Sing Prison today to arrange details of the executions of sentence. Mr. Carroll said the date could not be the customary Thursday night because another execution had already been scheduled for that time.

Press coverage of the electrocutions will be limited to one representative from each of the three major wire services inside the death chamber, Mr. Carroll said. Other press representatives will be required to wait outside and will receive briefings from the wire service men before any stories are transmitted.

Credentials will be issued to one

Continued on Page 19, Column 5

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representative from each newspaper whose name must be submitted by letter to the Marshal. Mr. Carroll said official witnesses would be the United States Marshal, two assistants, the Sing Sing warden and two prison physicians. Under state law, relatives of condemned prisoners may attend executions. Mr. Carroll said that this law did not apply to the Rosenbergs, who were sentenced under Federal law.

Mr. Bloch will appear at 11 o'clock this morning before a three-member court of the United States Court of Appeals to seek a stay of execution beyond the March 9 date. That court has previously upheld unanimously Federal Judge Sylvester Ryan's refusal to grant a new trial.

Mr. Bloch is also submitting a petition to the United States Supreme Court for a writ of certiorari calling for a high court review of the case. The Supreme Court has twice previously refused to review the case.

Aside from the legal alternatives, the Rosenbergs may escape the death penalty if they decide to talk. They have maintained throughout the two years of trial and appeal that they were innocent.

President Eisenhower refused their plea for executive clemency last Wednesday with the statement that their crime was worse than murder and a betrayal of the entire nation. If they now decide to talk, that action might influence the President to grant executive clemency.

Judge Kaufman has no power to commute the death sentence he imposed. His order setting the new date for the execution of Ethel Rosenberg, 36, was signed in chambers yesterday morning. A

NOTICE TO THE PUBLIC
FEDERAL BUREAU OF INVESTIGATION
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similar order was signed by Julius Rosenberg, 34.

The Ethel Rosenberg order reads:

The defendant, having been sentenced to death by a judgment entered herein on April 5, 1951, and after appellate proceedings, the Court by order made and entered on Nov. 21, 1952, having fixed the date of execution of sentence fixed by the aforesaid judgment, to take place during the week commencing on Jan. 12, 1953, and the defendant having applied to the Court for a stay of execution of the sentence heretofore imposed, for the purpose of enabling her to file a petition for Executive clemency to be passed upon by the President of the United States;

and the Court on Jan. 8, 1953, having stayed the execution as directed by the aforesaid judgment and order until five days after the determination by the President of the United States upon the aforesaid petition for Executive clemency, and the defendant having filed a petition for Executive clemency on Jan. 10, 1953, and the President of the United States having denied the aforesaid petition for Executive clemency;

and said order of Jan. 8, 1953, having provided that the Court, after the determination by the President of the United States on the petition for Executive clemency, may make such further order as will carry out the sentence originally imposed;

Now, upon motion of Myles J. Lane, United States Attorney for the Southern District of New York, it is

Ordered, adjudged and decreed that the United States Marshal for the Southern District of New York shall execute the sentence imposed by the aforesaid judgment, dated April 5, 1951, during the week commencing March 9, 1953, and it is further

Ordered, adjudged and decreed that the clerk of this Court deliver to the United States Marshal for the Southern District of New York, a certified copy of this order.

The Rosenbergs have been in the Sing Sing death house since April, 1951. The Communist-organized National Committee to Secure Jus-

tice for the Rosenbergs began picketing the White House last week and stepped up its telegram, telephone and letter-writing campaign for clemency. At the same time independent organizations and groups petitioned the President for executive clemency.

A barrage of telegrams and letters was directed over the weekend to the three-member United States Court of Appeals that will hear argument this morning on Mr. Bloch's motion for a new stay.

Propaganda Pawns

THE FUROR created by the Communist propaganda that the Pope had intervened in the case of the A-spy couple shows how dangerous it is to believe anything that comes from the Kremlin. Actually, His Holiness did no such thing.

All that happened was that the Papal representative in Washington told then Attorney General McGranery that the same kind of pressure was being put upon the Pope from leftist elements as was put upon Judge Irving Kaufman and upon the President.

The Communists are not interested in Julius and Ethel Rosenberg. They are expendable persons whose usefulness to the Communist conspiracy is over.

They do have propagandistic value in the sense that the Communists can still talk about them; they can still use them to denounce the United States, and to collect party funds.

The Rosenbergs have a way open to them: they can talk—tell what they know of the Soviet espionage conspiracy and beg for clemency. Up to now, they have been adamant, giving the appearance of enjoying their martyrdom.

Those who have tried to ride rough-shod over our judicial system by threats and intimidation of Judge Irving Kaufman must be told, again and again, that the American people respect Judge Kaufman for his just conduct during this trial. He has won the gratitude of the American people for resisting pressures which, at times, have been all but unbearable.

It is unfortunate that many prominent persons lent themselves to Soviet and Communist propaganda. They did not read the record of the trials; they are unfamiliar with the facts.

The Rosenbergs have had all the Constitutional safeguards that America affords. Surely, the doctors arrested in Russia and now accused of being pro-American or pro-Zionist have no equal safeguards. They will die—and for no crimes they committed.

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Rosenbergs

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Mr. Bloch's motions were only attempts to "defeat justice." It is expected that the three-judge court will rule quickly, because the issue is one of life or death.

Mr. Bloch asked Judge Kaufman on Friday to set the execution at least four to eight weeks away. The judge rejected his motion, commenting: "I think the time has come for justice to proceed."

Judge Kaufman signed the execution order yesterday in chambers in an ex parte proceeding requiring neither the presence of the defendants, their attorney or the prosecutor.

The order was transmitted to Marshal Carroll who began his methodical preparations. The marshal said that if the execution comes off as scheduled it will be witnessed by only three reporters—representatives of The Associated Press, The United Press and International News Service. Accredited reporters from newspapers will be admitted to the prison but will be taken to a special room in the Administration Building. After the executions, the three wire-service men will be escorted from the death house to the special room where they will relate what they had witnessed to the other reporters. Then all will be taken to special rooms where telephones will be available. Under New York State law,

Marshal Carroll said, relatives of condemned prisoners may be present at executions, but this does not apply to Federal prisoners.

Ethel Rosenberg, thirty-seven, and Julius, thirty-four, are the parents of two sons, Michael, nine, and Robert, five. The boys visited their parents at the prison on Saturday.

Since their conviction and imprisonment the Rosenbergs have maintained a stubborn silence, declaring only that they were innocent. Their case has become a propaganda weapon for Communists and special appeals for clemency are still being sent to the White House and Judge Kaufman.

If Mr. Bloch's appeal is turned down by the Court of Appeals he intends to go directly to the Supreme Court for a stay. If this last legal move is rejected he has just one more hope—another appeal to President Eisenhower. It is expected that such an appeal will again fail, unless the Rosenbergs decide to talk.

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5 Boro Ministers Sign Rosenberg Clemency Appeal

Five Brooklyn ministers were among the 2,300 clergymen listed on an appeal sent to President Eisenhower today, asking him to reconsider his decision to doom convicted atom spies Julius and Ethel Rosenberg.

Among the signers of the petition, which questions "the political and spiritual wisdom of the sentence," were the Rev. Dr. John M. Coleman, rector of St. Phillips Episcopal Church; the Rev. Bruce T. Dahlberg, of the Lefferts Park Baptist Church; the Rev. Dr. Phillips Packer Elliott, minister of the First Presbyterian Church; the Rev. Dr. John Paul Jones, of the Union Church of Bay Ridge, and the Rev. Dr. John H. Lathrop, of the First Unitarian Church.

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Court Gives Defense Time to Appeal:

A-Spies Win Stay Until March 30

By HOWARD RUSHMORE

Doomed A-bomb spies Julius and Ethel Rosenberg today were granted a stay of execution until at least March 30, and possibly longer.

The stay, ordered by the U. S. Circuit Court of Appeals, was given to permit their counsel time to seek a review by the Supreme Court, already twice denied.

Only yesterday the two spies were sentenced by Federal Judge Irving R. Kaufman to die in Sing Sing's electric chair the week of March 9. It followed an earlier stay granted to permit a Presidential review which President Eisenhower denied last Wednesday.

In granting today's motion by defense counsel Emanuel H. Bloch, the three-man Court of Appeals made clear that actual execution may not take place until after March 30.

COURT'S COMMENT.

Presiding Judge Learned Hand said:

"We will give you a stay until March 30, and if your petition is filed, then whatever the Supreme Court decides to do is up to that court and the stay will not expire until they have acted."

Concurring were Judges Augustus N. Hand, brother of the presiding justice, and Jerome N. Frank.

Bloch told the court he would begin work immediately on his petition to the nation's highest court.

"I would not want to have these people precluded from having a review of their case by the Supreme Court," Judge Frank said. "I would not want to have that on my conscience."

CHARGES PREJUDICE.

Bloch, in his argument for a stay, said his application for a re-

view by the Supreme Court will be based on grounds that the conduct of the then U. S. Atty. Saypol in prosecuting his clients was prejudicial to the defense.

He said he will claim that Saypol was guilty of "reprehensible conduct" in certain statements made during the Rosenberg trial concerning the perjury indictment of William Perl.

Perl, a Columbia University professor, was indicted when he denied knowing the Rosenbergs and other principals in the spy case. He has never been brought to trial.

The stay was granted, although Judge Frank remarked:

"In my opinion the argument concerning William Perl has no more relevance to the Rosenberg case than an explosion on the moon."

ATTACK ON STAY FAILS.

Asst. U. S. Atty. James B. Kilsheimer III argued unsuccessfully against the stay, pointing out that all appeals have been denied by the higher court and even the White House.

The two spies, sentenced by Judge Kaufman in March, 1951, for their part in a Soviet espionage conspiracy to steal atomic secrets from Los Alamos during World War II, continued their propaganda barrage on behalf of the Communist international movement.

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Set Rosenberg Execution For Week Mar. 9

Atomic spies Julius and Ethel Rosenberg must die in the electric chair during the week of March 9, Federal Judge Irving R. Kaufman ruled yesterday as he signed an order setting the new date.

U. S. Marshal William A. Carroll, who will go to Sing Sing to prepare for the double execution, said he believes the pair will pay the supreme penalty on March 11 or March 13, at 11 p. m. The usual execution day is Thursday, but the State is conducting another electrocution that night. Carroll said he "could not be sure of the exact date" until he confers with Sing Sing Warden Wilfred Denno.

THE ROSENBERGS' attorney, Emanuel H. Bloch, will appear before the U. S. Court of Appeals at 10:30 a. m. today to argue for another stay on the grounds that he is seeking a new trial or a review. If this stay is denied, he will go to the U. S. Supreme Court.

Carroll, who was in charge of death preparations when the pair were scheduled to die Jan. 14—before a stay was granted so they could seek Presidential clemency, revealed that only representatives of the three major wire services will witness the executions for the press.

After the electrocution, these reporters will be escorted to a waiting room, where representatives of newspapers will be allowed to interview them. The wire service men will describe the electrocutions; then the entire news party will be taken to phones and allowed to flash their stories to their offices.

CARROLL INDICATED that no relatives of the doomed couple will be permitted to witness the executions. He pointed out that, under State law, relatives may be present, but this "does not apply" to Federal prisoners.

Judge Kaufman signed the new order at ex parte proceedings, which do not require the presence of attorneys for either side.

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Final Plea to the Planned If Court Rebuffs Atom Spies

Emanuel H. Bloch, attorney for atom spies Julius and Ethel Rosenberg, said today he would make a second appeal to the White House for clemency if the U. S. Supreme Court again refuses to consider the condemned couple's case.

The Federal Court of Appeals in Manhattan yesterday postponed indefinitely the execution of the Rosenbergs, scheduled for the week of March 9, to permit Bloch to make a final appeal to the Supreme Court.

The Supreme Court has already turned down two appeals in the Rosenberg case. However, Bloch said his third

Continued on Page 11

Final Plea to the Planned for Spies

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appeal, seeking a reversal of conviction and a new trial would be based on different grounds.

The attorney said he would contend the Rosenbergs' first trial in March, 1951, ending in their conviction of conspiring to transmit atomic secrets to Russia, was based on "fraud perjury and unfairness."

'Important Material'

If he fails to obtain favorable action from the Supreme Court Bloch said he again will file with the Justice Department an appeal for executive clemency on the ground "important material" was withheld from President Eisenhower when he received a file on the case the first time.

Bloch referred to a communication last December from Pope Pius XII to the Justice Department that the Vatican had received a considerable number of pleas for Papal intercession in the Rosenberg case.

James McGranery, then Attorney General, said the indictment was not referred to the White House because it had no bearing on the merits of the case.

In his appearance before the Appeals Court here yesterday Bloch outlined the arguments he would present to the Supreme Court. He said he would contend the Government attorney at the Rosenbergs' trial—Irving H. Saypol, now a Manhattan Supreme Court Justice—"prejudiced" the case.

He said Saypol "deliberately timed" the perjury indictment of William Perl, a Columbia University physics instructor while the trial was in progress in order to "prejudice the defendants."

At that time, Bloch said, Saypol told reporters Perl would be a Government witness against Rosenberg. The perjury indictment was based on Perl's denial previously to a Federal grand jury that he knew Rosenberg.

The Appeals Court, comprising Justices Augustus N. Hand, Learned Hand and Jerome Frank, said there was a possibility Saypol's action might have created prejudice, but added that the Rosenberg jury would not have known of the indictment.

Under the court order, Bloch has until March 30 to file his new appeal with the Supreme Court. If the court refuses to consider it, a new date of execution must be set. If the court agrees to review the case, it might be some time before a ruling is handed down.

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Rosenbergs Preparing New Appeal; Lawyers Base Plea on 'Unfair' Trial

By BETSY LUCE

Counsel for doomed atom spies Julius and Ethel Rosenberg today prepared another appeal to the U. S. Supreme Court charging their trial two years ago was "based on fraud, perjury and unfairness."

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A-Spies Prepare Appeal Charging Trial Prejudice

By BETSY LUCE

Counsel for doomed atom spies Julius and Ethel Rosenberg today prepared another appeal to the U. S. Supreme Court charging their trial two years ago was "based on fraud, perjury and unfairness."

The U. S. Court of Appeals yesterday stayed the date of execution of the Rosenbergs, set for the week of March 9, until March 30 to give their lawyers time to ask the Supreme Court to review the case.

For the first time, Emanuel H. Bloch, their attorney, argued that the guilty verdict should be upset because the then U. S. Attorney, Irving Saypol, now a state Supreme Court Justice, "prejudiced" the case by indicting William Perl for perjury.

Perl, former physics instructor at Columbia University, was accused of lying when he denied knowing Rosenberg and Mrs. Rosenberg's brother, David Greenglass, who admitted his part in the spy plot.

Perl's arrest came while the Rosenberg trial was still in progress, and Saypol released the charges to the press.

Members of the Appeals court, Judges Learned Hand, Augustus N. Hand and Jerome Frank, agreed that the Supreme Court should be given an opportunity to rule on the legal question raised. The Washington court twice has refused to review the case.

Bloch said that if the Supreme Court again refused to grant a review, he would make a second appeal for Presidential clemency. President Eisenhower last Wednesday refused to commute the death sentence.

Bloch charged earlier that vital information was withheld from the White House in connection with the first petition for clemency. He referred to an oral communication given to the then Attorney General McGranery in December that Pope Pius XII had received pleas to aid the couple. McGranery said later that it had no bearing on the merits of the case, so he did not notify the White House.

The Appeals judges assured Bloch that the March 30 date would not expire automatically. The Supreme Court could grant a further stay until the petition is disposed of, they pointed out.

A new lawyer in the case, John

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Charges Vital Data Withheld

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The Appeals judges assured Bloch that the March 30 date would not expire automatically. The Supreme Court could grant a further stay until the petition is disposed of, they pointed out.

A new lawyer in the case, John F. Finerty, who described himself as "a railroad lawyer and probably the greatest anti-Communist lawyer in the U. S.," filed an affidavit with the Appeals court attacking Greenglass' testimony as "perjured."

He said that Greenglass, as an Army sergeant at the Los Alamos atom bomb project, could not have obtained a description of the first atom bomb six months before it was exploded at Hiroshima. Neither could Rosenberg have told Greenglass that the project was for an atom bomb, Finerty said.

Sing Sing Prison officials said the Rosenbergs received the news of the stay of execution with their usual lack of emotion.

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Rosenbergs to Replay A-Spy Appeals Routine

A new appeal to President Eisenhower for executive clemency for atom spies Julius and Ethel Rosenberg will be made if the Supreme Court again refuses to review the condemned couple's case.

This was announced today by defense attorney Emanuel H. Bloch, who yesterday won a new stay of execution for the Rosenbergs, extending until at least March 30.

The postponement was granted by the U.S. Court of Appeals to permit a final appeal to the Supreme Court, which has twice refused to review the case. President Eisenhower also refused executive clemency a week ago, asserting that the Rosenbergs were guilty of "deliberate betrayal of the entire nation."

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F. Finerty, who described him-
self as "a railroad lawyer and
probably the greatest anti-Com-
munist lawyer in the U. S.," filed
an affidavit with the Appeals
court attacking Greenglass' tes-
timony as "perjured."

He said that Greenglass, as an
Army sergeant at the Los
Alamos atom bomb project, could
not have obtained a description
of the first atom bomb six months
before it was exploded at Hiro-
shima. Neither could Rosenbergs
have told Greenglass that the
project was for an atom bomb.
Finerty said.

Rosenbergs Get New Death Stay For Last Plea to Supreme Court

By Walter Arm

The scheduled execution of Julius and Ethel Rosenberg was postponed indefinitely yesterday by the United States Court of Appeals to enable them to make one final appeal to the United States Supreme Court.

The three-judge court referred the case of the convicted atom

spies to the nation's highest court after indicating to both defense and government counsel that they needed to hear little argument on the matter.

The court's sentiment was voiced by Judge Jerome N. Frank, who said: "I would not want these people precluded from having their opportunity before the Supreme Court. I wouldn't want it on my conscience."

The unanimous ruling by Judge Frank and Judges Learned and Augustus N. Hand automatically nullifies the execution date in the week of March 9 set Monday by Judge Irving R. Kaufman in United States District Court. The couple have been in the death house at Sing Sing Prison since April, 1951.

As they have in the past, the convicted couple heard of the new stay of execution without any visible sign of emotion. Last Wednesday they just as quietly received the news that President

(Continued on page 6, column 5)

Rosenbergs

(Continued from page one)

Eisenhower refused to grant them executive clemency.

Emmanuel H. Bloch, their attorney, sought for and obtained a stay until March 30, to enable him to apply to the Supreme Court for a writ of certiorari—a right of review—but also won more than he asked for when Judge Learned Hand ruled:

"This stay will not expire automatically on that date but will run until the petition is disposed of."

The March 30 date, therefore, merely sets a deadline for Mr. Bloch to file his motion of appeal before the Supreme Court. If he fails to do so by that date, his last chance for judicial review is gone. But Mr. Bloch said yesterday he is already working on the motion and would file it as soon as possible.

The Supreme Court can end the appeal as soon as it is filed by immediately refusing to grant a writ of certiorari. This would mean that they do not care to review the case and that the rulings of the lower courts, upholding the convictions, stand.

But if the court decides to grant the writ, it means they will consent to review the entire case and this could take weeks, if not months, past the deadline date.

To Seek New Trial

The defense attorney will seek a new trial on the grounds that the first one, which ended in conviction on March 31, 1951, was "based on fraud, perjury and unfairness."

N.Y. HERALD TRIBUNE

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A-Spies Get Stay to File New Appeal

Convicted atom spies Julius and Ethel Rosenberg yesterday won a reprieve from their appointment with Sing Sing's death chair the week of March 9, when the U. S. Court of Appeals approved a stay of execution, granting them until March 31 to petition the Supreme Court for a review of their case.

The three-judge tribunal said the Rosenbergs' attorney, Emanuel Bloch must file the petition before March 31. The court further stated that the stay will remain in effect until the higher court has acted.

AT THE SAME time, Bloch indicated that should the plea to the nation's highest court be refused, he will again appeal to President Eisenhower for executive clemency. The President recently turned down the Rosenbergs' plea for clemency, agreeing in substance with Federal Judge Irving Kaufman, who sentenced them to death with the comment that their "crime was worse than murder."

Judge Learned Hand, who handed down yesterday's opinion with Judges Augustus N. Hand and Jerome N. Frank, said, "We will give you a stay until March 31, and if your petition is filed then, then whatever the Supreme Court decides to do is up to that court and the stay will not expire until it has acted."

Judge Frank added, "I would not want to have these people precluded from having a review of their case by the Supreme Court. I would not want to have that on my conscience."

BLOCH SAID there were a "series of substantial questions of law involved."

He added that former U. S. Attorney Irving Saypol deliberately timed the indictment of William Perl, Columbia University physicist free in \$20,000 bail on a perjury charge growing out of his denial of knowing Julius Rosenberg, to prejudice the Rosenbergs' case.

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previous defense appeals were from the judgment of conviction. The new appeal, while also seeking a reversal of the conviction, is based on a set of different grounds.

Mr. Bloch began to outline his case to support that contention as soon as argument began at 11 a.m. yesterday in the seventeenth-floor courtroom in the United States Courthouse in Foley Square. He had just about launched into his theory that United States Attorney Irving H. Saypol—now a late Supreme Court justice—had prejudiced the case, when he was interrupted by all three judges. They indicated they knew the issues but were of the opinion that they should be decided by the Supreme Court.

The Rosenbergs' attorney charged that Mr. Saypol "prejudiced" the case by indicting William Perl, a physics instructor at Columbia University, for perjury while the trial of the Rosenbergs was on and released to the press a statement that Perl knew Julius Rosenberg and would be a witness against him.

Mr. Bloch pointed out that the Court of Appeals had "castigated" Mr. Saypol for this, "but did not take any action."

Judge Frank said the court still held that opinion and declared: "I don't see how something unknown to the jury could prejudice our clients." He added, however, that the Supreme Court "might have its own opinion on the matter."

He called on James B. Kils-

heimer 3d, Assistant United States Attorney, for his views on Mr. Bloch's motion and the latter opposed it, declaring that the Supreme Court had twice previously refused to review the case and that the new points were "frivolous."

"I don't know about that," said Judge Learned Hand, "there are some justices in the Supreme Court who may take a different view."

Mr. Kilsheimer insisted that Mr. Bloch's new grounds were "only an afterthought."

All argument ended when Judge Frank said: "It's conceivable the Supreme Court may not see it the way we did," and Judge Learned Hand added: "I should be unwilling to foreclose a full opportunity of review."

Mr. Bloch was supported in his arguments by John F. Finerty, anti-Communist attorney, who defended Tom Mooney and exposed the Moscow purge trials while counsel for a special commission headed by the late Professor John Dewey. Mr. Finerty will aid Mr. Bloch in preparing the final appeal.

No matter what the outcome of the Supreme Court decision, Mr. Bloch said, he still intends to appeal once more to President Eisenhower for executive clemency. His new ground was that

"important material" was kept from the President. He referred to the pleas for mercy received by Pope Pius XII and brought to the attention of the State Department, and which were allegedly withheld from both President Truman and President Eisenhower.

ROSENBERGS OBTAIN STAY OF EXECUTION

Circuit Court Gives Spies Until
at Least March 30 for New
Plea to Highest Tribunal

By WILLIAM E. CONKLIN

Julius and Ethel Rosenberg, condemned to death for atomic espionage on behalf of Russia, won a new delay of execution extending at least until March 30 when the United States Court of Appeals granted time yesterday for the filing of a new petition to the United States Supreme Court for a review of the spy case.

Last Monday Federal Judge Irving R. Kaufman, who had imposed the death sentences in April, 1951, set March 9 as the new date of executions. His action followed two refusals of the highest court to review the case and the refusal of executive clemency by President Eisenhower a week ago. The new stay remains effective until final action by the nation's highest court.

Emanuel H. Bloch, defense counsel, contended before the appellate court yesterday that Supreme Court Justice Irving M. Saypol, former United States Attorney, had procured the perjury indictment of William Perl with deliberate intent to prejudice the Rosenbergs' case. Perl, a 32-year-old physics instructor suspended from Columbia University, was arrested on March 14, 1951. His arrest came while the three-week Rosenberg trial was nearing its end. Perl, now

Continued on Page 12, Column 4

ROSENBERGS OBTAIN STAY OF EXECUTION

Continued From Page 1

free in \$20,000 bail, has not yet been brought to trial.

Augustus N. Hand, Learned Hand and Jerome Frank, the three members of the United States Court of Appeals, agreed with Mr. Bloch that possible prejudice arising from publicity on Perl's arrest was an open legal question for the Supreme Court to pass upon. Perl was accused of perjury in denying to a Federal grand jury that he knew Julius Rosenberg or Morton Sobell, a co-conspirator now serving thirty years for his part in the spy plot.

At the time of Perl's arrest Mr. Saypol told newsmen that he was a potential Government witness in the Rosenberg trial, who would corroborate testimony by David Greenglass, brother of Mrs. Rosenberg, and Ruth Greenglass, sister-in-law of Mrs. Rosenberg.

Calls Greenglass a Perjurer

John F. Finerty, new associate counsel with Mr. Bloch, contended in an affidavit he filed with the circuit court that the David Greenglass testimony was perjured. Mr. Finerty, formerly a Washington attorney, described himself as "a railroad lawyer," and "probably the greatest anti-Communist lawyer in the United States" when he talked to reporters. He was formerly of counsel for Tom Mooney and acted as counsel in 1936 in an Illinois action to get the names of Earl Browder and James W. Ford, Communist candidates for President and Vice President, on that state's ballot.

Mr. Finerty was national chairman of the "Keep America Out of War Congress" in 1941. A year later he was counsel for the Workers Defense League in a Virginia capital case.

The new counsel maintained in his affidavit that David Greenglass could not have drawn an accurate sketch of the composition and functioning of the atomic bomb; that Greenglass as an Army sergeant at Los Alamos could not have obtained a description of the Hiroshima atomic bomb six months before it was exploded; that Julius Rosenberg could not have given Greenglass his first information on the atomic bomb.

Mr. Bloch in his argument said: "The Perl indictment was deliberately timed to prejudice the case of these appellants. Mr. Saypol said the indictment had been obtained in the regular course of the admin-

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Rosenbergs Granted Reprieve To March 30 for New Appeal

A new, short-term lease on life was granted atom spies Julius and Ethel Rosenberg yesterday by the U. S. Circuit Court of Appeals.

On Monday, Federal Judge Irving R. Kaufman fixed the week of March 9 for their execution in Sing Sing for conspiracy in transmitting atom secrets to Russia. Yesterday, the appeals court technically stayed sentence until March 30, but actually opened the door to a longer delay.

After defense attorney Emanuel H. Bloch accused the Rosenbergs' prosecutor, Irving Saypol—now a federal judge—of deliberately prejudicing their case, and advised that he planned to take "substantial questions of law" before the Supreme Court, the three-man Circuit bench deferred the execution.

Up to Supreme Court.

"We will give you a stay until March 30," said Judge Learned Hand, sitting with Judges Augustus N. Hand and Jerome Frank. "If your petition is filed by then, whatever the Supreme Court decides to do is up to that court, and the stay will not expire until they have acted. I would be unwilling to foreclose a full opportunity for a review of the case by the Supreme Court."

The jubilation. Bloch told newsmen later that he planned to renew his



Julius and Ethel Rosenberg
Win time for new appeal.

plea for executive clemency to President Eisenhower "some time in the future."

Predicts Vindication.

"When the President receives the full details, the Rosenbergs will be vindicated," predicted the defense lawyer.

It was just one week ago that Eisenhower turned down that very request, asserting that the Rosenbergs were guilty of "the deliberate betrayal of the entire nation."

Word of the court's action seeped through to the Rosenbergs unofficially shortly after noon. A Sing Sing employe heard the news on a radio broadcast, and the grapevine transmitted word to the pair in the death house.

The 36-year-old engineer and his wife, 34, reportedly remained impassive, just as they had on Monday when advised that the date for their execution had been set.

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istration of justice. But the prosecution willfully caused the indictment to be obtained to prejudice these defendants."

Judge Frank said there was a possibility of prejudice arising from newspaper publicity about the Perl indictment, but held that the Rosenberg jury could not know about the indictment itself.

New Question in Case

Judge Learned Hand described the Perl argument as a new question in the case, and observed that the defense would be denied its right of appeal unless a stay were granted.

"I would be unwilling to foreclose the possibility of taking this question to the Supreme Court," the jurist said.

Judge Frank said:

"There is substance to this argument, and for my part, I believe the Supreme Court should hear it. I certainly would not want to be in the position of precluding these people from presenting their arguments to the Supreme Court."

"That is the whole question, in my opinion," said Judge Augustus Hand.

"We will give you a stay until March 30," Judge Learned Hand told Mr. Bloch. "If a petition is filed with the Supreme Court by March 30, the Supreme Court may then grant a further stay until the petition is disposed of. This stay until March 30 will therefore not expire automatically."

After the forty-minute hearing Mr. Bloch said he would bring additional arguments for a review of the case to the Supreme Court. After the record was printed, he said, he would file his petition. He held out the possibility that this application might result in a new trial for the Rosenbergs, who have been in Sing Sing since April, 1951.

James B. Kilsheimer 3d, Assistant United States Attorney, argued in vain against a new stay. He was accompanied by Myles J. Lane, United States Attorney who assisted in prosecuting the Rosenbergs almost two years ago.

The Rosenbergs got the news of

the new delay soon afterwards over the prison grapevine at Sing Sing. Neither the 34-year-old husband nor his 33-year-old wife made any comment on the new stay. Prison employes picked up the news by radio outside the walls and relayed the word inside. The prison radio is not turned on until 2:30 P. M.

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Rosenbergs Up to Ike, HST Won't Have Time

WASHINGTON, Jan. 19 (INS).—The clemency plea of doomed atomic spies Julius and Ethel Rosenberg became Gen. Eisenhower's problem today when the White House said President Truman will not have time to act on it.

SUPERVISOR
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TRAINING UNIT

POINTING OUT that the couple's appeal for commutation of their death sentences is still under study at the Justice Department, a spokesman said it will be impossible for Truman to decide whether or not to spare the Rosenbergs before he leaves office Tuesday at noon.

This probably means another delay in Presidential action on the clemency plea, presumably President-elect Eisenhower will not take action until his Attorney-General Herbert Brownell, has a chance to study the case.

The 34-year-old Rosenberg and his 36-year-old wife, parents of two young sons, filed their petition for Presidential clemency on Jan. 10. This won them a stay of execution until five days after the White House rules on their plea.

ORIGINALLY, they had been scheduled to die in the electric chair at Sing Sing on Jan. 14. They had been convicted of passing atomic secrets to a Soviet spy ring.

NORTHFIELD, Minn., Jan. 19 (UP). — Mrs. Eleanor Roosevelt said today "I think there is a great deal of hope" that atomic spies Ethel and Julius Rosenberg will be saved from the electric chair.

IN A NEWS conference at St. Olaf College, Mrs. Roosevelt said, "never before have we executed anyone for treason in this country in time of peace." She was here on a lecture tour.

She said a life sentence may be substituted for the death sentence in the Rosenberg case on "humanitarian grounds alone."

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Decision Is Left To Eisenhower On Rosenbergs

Pardon Attorney Refuses to Comment on Status of Appeal by Atomic Spies

By James M. Minifie

WASHINGTON, Jan. 20.—One of the headaches inherited today by President Eisenhower from the Truman Administration is the appeal for Presidential clemency of Julius and Ethel Rosenberg, condemned to death for atomic espionage to the advantage of Russia.

Appeal Through Channels

The appeal was filed at the Justice Department Jan. 10 by Michael B. Atkins, associate defense counsel. It brought a stay of execution from Federal Judge Irving R. Kaufman which is valid five days after the President's decision.

Attorney General James P. Mc-

Granery announced at the time that the appeal would go through normal channels—that is, study by the pardon division, recommendation to the Attorney General, then recommendation from the Attorney General to the President. Asked the status of the appeal today, Daniel M. Lyons, pardon attorney, declined to comment, nor would he say whether any opinion had been rendered by his division or forwarded to the White House.

The President is vested by the Constitution with full powers of clemency in all instances except impeachment. During his term of office President Truman followed closely the recommendation of the Attorney General. The only exception that officials could recall was when Mr. Truman commuted to life imprisonment the death sentence passed on Oscar Collazo, the Puerto Rican nationalist who had tried to assassinate him at Blair House.

Appeal Was Defiant

The Rosenbergs were sentenced to death in March, 1951. Their appeal was a defiant document which insisted on their innocence and reviled those who turned state's evidence for trading what they called "Judas words for a few years of their miserable lives."

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The Lyons Den

By Leonard Lyons



The conviction of the Red leaders here yesterday interrupted their chess tourney. They were apparently unconcerned, for they played chess outside the courtroom while the jury pondered their fate . . . Katina Paxinou will play the title role in "Socrates' Wife" on the Sarah Churchill NBC-TV show Sunday . . . John Golden received \$1,200 in U. S. Government bonds from an anonymous donor Jan. 6. He's offering a reward for the man's identity . . . Two sensational, secret indictments, against a Congressman and a judge, were filed in the Federal Court in Brooklyn yesterday . . . Mme. Bonnet, wife of the French Ambassador, almost severed Franco-American relations, for her Inaugural gown was the same color as Mrs. Eisenhower's.

WEDDING DATE: Isabel Bigley, of "Guys and Dolls," won the title role in the new Rodgers and Hammerstein musical, "Juliet." She also has won a Romeo—Lawrence Barnett, vice president of MCA . . . Miss Bigley phoned Rodgers and Hammerstein and asked them if they could see to it that July 23 would be a non-matinee day. She explained that Barnett's California divorce would become final July 22 and they'd like to be married the very next day.

MATTER OF LIFE: One of President Eisenhower's intimates, who has known him for years, feels that he may commute the death sentence of Ethel Rosenberg. Not because there is any question of her guilt, for there is none, but only because she is a woman and a mother. He said also that if this happens, then the possibility of naming the others in the spy ring would not die with the execution of the couple. And the responsibility for Julius Rosenberg's life would rest upon Ethel Rosenberg alone—if she offered to talk to save him.

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A-Spies' Pleaders Blind to Red Purge

By FREDERICK WOLTMAN,
Staff Writer.

Victims of the current anti-Semitic purges behind the Iron Curtain will get scant sympathy from some of the rabid pleaders for clemency for the condemned atom spies, Ethel and Julius Rosenberg.

This was revealed today by the New Leader, liberal anti-Communist weekly, after it attempted to smoke out Rosenberg clemency supporters whose names have been touted by the Daily Worker, Communist party mouthpiece.

"Note your support Rosenberg clemency," the New Leader telegraphed 34 of them. "In name human rights we ask you make equally forthright condemnation anti-Semitic Prague trial and imminent execution Soviet Jewish doctors.

Despite their alacrity in going to bat for the Rosenbergs, 18 of the 34 had failed, to date, to reply.

Names Are Given.

Among them were such avid Communists or backers of Red causes as Morris Carnovsky and Howard Da Silva, the movie actors, the Rev. Stephen Fritchman, Unitarian minister, Paul Robeson, Dashiell Hammett, detective story writer, the Rev. Harry F. Ward, Anton Refregier, the artist, and the Rev. William H. Melish, minister of Holy Trinity Episcopal Church, Brooklyn.

Two not linked with Communist causes from whom no answers have been received are the Rev. John H. Lathrop of the Church of the Savior, Brooklyn, and Rabbi Abba Hillel Silver of Cleveland, strong supporter of President Eisenhower who delivered a prayer at the inauguration ceremony in Washington, Tuesday.

Rockwell Kent, the artist who supports many Communist causes, according to the New Leader, paraphrases Molotov's well-known "Fascism is a matter of taste" in these words: "Zionism,

like Fascism, is a political movement."

Condemns U.S. Policy.

"The Russian doctors are charged with murder," he said also. "If proven guilty, they deserve strong punishment. I am against capital punishment. Whatever the Russian courts may decide, my own judgment must wait until I have read the full evidence. . . ."

The Rev. Willard Uphaus, a leader of the Methodist Federation for Social Action and co-Director of the American Peace Crusade, used the occasion to condemn America's foreign policy as "designed to promote the kind of subversion which we condemn in others."

Prof. Philip Morrison, atomic physicist of Cornell in a vague re-

ply, urged on the Soviet government and courts that "they too show clemency and magnanimity in dealing with all alleged cases of espionage."

Prof. Robert Morris Lovett, former governor of the Virgin Islands, declared: "I cannot be as forthright in my comment as I was on the Rosenberg case because I lack specific evidence of prejudice. . . ."

Prof. Harlow Shapley, renowned Harvard astronomer and past president of the American Association for the Advancement of Science, issued simply a one-sentence condemnation of anti-Semitism in general: "I am unreservedly opposed to anti-Semitism wherever it is practiced or advocated."

"But," points out the New Leader, "at other times, as when he headed the pro-Communist Waldorf 'culture' meeting he has never been known for such reticence."

On the other hand, Albert Einstein, who first proposed the use of atomic power as a war weapon, Dr. Harold C. Urey, who helped make the first atom bomb, and others prominent in the Rosenberg clemency drive condemned the Red wave of anti-Semitism.

The Rosenberg case, Dr. Urey said, "fades to complete insignificance compared to the Prague trial, the attacks on the nine doctors and the imminent anti-Semitism in the USSR. In this country, mistakes are made by those who are mostly men of good intention, in the 'workers' paradise' of the USSR, gross injustices are done intentionally by government officials directed by men with cast-iron hearts and minds at the very top."

The Soviet "perversion of justice," even in the purge trials of the 1930s, replied Dr. Einstein, "deserve unconditional condemnation."

Others with anti-Communist records also condemned the Iron Curtain anti-Semitism. They include Waldo Frank and such clergymen as John Haynes Holmes, Donald Harrington, A. J. Muste and John Paul Jones, Rabbi Abraham Cronbach and Max Yeshin likewise issued similar attacks.

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See Rosenberg Delay of Weeks

WASHINGTON, Jan. 22 (AP). —Justice Department sources indicated today that the condemned atom spies, Julius and Ethel Rosenberg, have many more weeks of life.

These sources said it will take that long for the President's pardon attorney, Danici M. Lyons, to complete an analysis of the voluminous file in the case of the husband and wife sentenced to die for passing atomic secrets to Russia.

THE TWO ARE in the death house at Sing Sing. Their execution, scheduled for Jan. 14, was indefinitely postponed when they appealed to the White House for clemency on Jan. 10.

As is customary, President Truman referred the matter for study to Lyons, who functions in the Justice Department, and the case passed, over to the Eisenhower Administration on Jan. 20.

Lyons has refrained from making statements.

Government sources have said the file before him is immense, including hundreds of communications from the general public, as well as the official record. It is his task to sift these documents along with the recommendations of defense attorneys, the trial judge and the prosecution, in order to prepare a report and recommendation to the new President.

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How We Live

FOR
POLICE
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the A-Bomb

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By HOWARD RUSHMORE

Until July, 1950, chances are you had never heard of Ethel and Julius Rosenberg. They were known only to their relatives, a few friends, some neighbors in Knickerbocker Village and the Soviet Military Attache.

Now, condemned to death, they have become the focal point of a storm of controversy over the atom bomb secret. They are the only Americans of pictures.

Only a few years ago they were behind Sing Sing's little green gate. Now they await the final judgment of President Eisenhower on the emergency bill.

But it is not the first chapter nor the last in the 19-year effort of Soviet Russia to steal our military and economic secrets. Thousands of men and women without fault have moved in the shadows of the Kremlin's underground lair.

Red agents operating under the eyes of our security and intelligence agencies have set the stage for the gigantic spy rings of World War II, and at the top was Arthur Alex. (David) Adams.

RUSSIAN ATOM SPY TRAILED BY FBI HERE

5¢

NEW YORK
Journal-American
PUBLISHED DAILY EXCEPT SUNDAY
MAY 2, 1945

7TH SPORTS
WALL ST.
SPECIAL

**G-Men Link
Plotter With
Scientist**



Arthur Alexandrovich Adams

1—Arthur Alexandrovich Adams, a charter member of the Russian Communist Party, entered United States illegally in 1938.

From 1941 until 1944 Adams operated a far-flung spy network with agents at Los Alamos, Oak Ridge, Columbia University and other atom bomb sites.

This spy network was exposed on Dec. 3, 1945, in the N. Y. Journal-American and other Hearst newspapers, as shown in reproduction of headline above. But the State Department refused to allow the FBI to arrest Adams, permitted him to return to Russia on the excuse Stalin was our ally.

Facsimile of Adams Expose



Alger Hiss

2—Long before the atom bomb was even a figment of Albert Einstein's imagination, the Russian spies were stealing America's military and political secrets directly from government files.

One of the thieves was Alger Hiss, a bright young Harvard career man in the State Department who had risen to a policy-making job on the Far Eastern desk. From 1935 to the end of 1937 Hiss transmitted a flood of top secret documents to a stocky little Soviet courier who used the name "Karl." This man was Whittaker Chambers.

Chambers broke from the spy network and in Aug., 1948, took the stand in Washington to name Hiss. Hiss denied the charge and, after two trials, was sent to prison for five years as a perjurer.



Klaus Fuchs

3—The arrest of atomic scientist Klaus Fuchs, son of a Lutheran minister, set off a chain reaction which wrecked several chains of Soviet espionage command.

Fuchs was seized in Britain in 1950 and sentenced to 15 years. He had been a member of the British Atomic Energy Mission to the U. S. during World War II. During 1944 Fuchs lived in New York and worked at Columbia University on development of the gaseous diffusion U-235 separation process.

Cornered by Scotland Yard, Fuchs confessed and named a sly little Philadelphia chemist as his chief courier. Fuchs said he did not know his name, but after several months the FBI uncovered the man. He was Harry Gold.

International News Photo.



Manacled Harry Gold (left) with U. S. Marshal A. Payone
4—Harry Gold ranks as the most dangerous spy courier in the history of this nation. He carried the invaluable data supplied by Fuchs to the Soviet Military Intelligence heads. Among his other contacts were David Greenglass and the latter's wife, Ruth. Following up the lead supplied by Fuchs' confession, the FBI grabbed Gold in May, 1950. He started talking almost immediately and said he had contact with Greenglass at Los Alamos where Greenglass worked as a U. S. Army sergeant in the weapons laboratory.

The FBI arrested Greenglass a few days later. And he named his ~~wife~~ and her engineer husband as his spy superiors. He told the FBI their names were Ethel and Julius Rosenberg.



Julius Rosenberg (left) with FBI Man at Time of Arrest

5 Julius Rosenberg might have been any one of a thousand graduates of City College's engineering school. His neighbors at 10 Monroe st., the East Side low-income housing development, found him polite but taciturn. He had few visitors and kept his affairs to himself.

His brother-in-law, David Greenglass, later testified at great length about these affairs and the shocked neighbors learned Rosenberg had not only recruited Greenglass to the cause of treason but was a trusted part of the NKVD apparatus with headquarters in Moscow.

The FBI appeared at 10 Monroe st., July 17, 1950, and took Rosenberg to the U. S. Courthouse. They already had Greenglass' full confession and knew part of the story. But Julius refused to cooperate.

At the time of his arrest, Rosenberg was run-

ning a small shop as an obscure electrical engineer. But the FBI knew he had been a member of the Young Communist League since his City College days and had faded into the Red underground early in World War II at the request of his Soviet bosses.

He remained in this underground while employed by the War Department from 1940 to 1945. Although finally fired from the department as a security risk, Rosenberg continued to recruit members of the spy ring. His prize was Greenglass who said during the subsequent trial, "I always had a hero worship of Julius."

As the FBI questioned Rosenberg day after day, he showed signs of breaking. That was when his dark-eyed plump wife, Ethel, restored his courage. She was the strong member of the team.

Journal-American Photo by William Finn.



Ethel Rosenberg on Way to Police Station After Arrest

C—The judge who presided over the Rosenberg trial said earlier this month, in denying their clemency appeal: "And at all times, Ethel Rosenberg, older in years and wise in Communist doctrine, aided and abetted and advised her husband."

Despite her tearful poems in the *Daily Worker* and her complaint that the "innocent" mother of two small sons was going to the chair, Ethel emerged from the trial record as a tough, disciplined spy who was not above soliciting her brother to disgrace his Army uniform by turning traitor.

She was arrested on Aug. 18, 1950, and maintained a cynical attitude toward the Government during her indictment and trial. When the death sentence was read, Julius glanced at her and clutched her hand, fearing a feminine outbreak. But Ethel stared straight at the bench, her mouth set in a faint sneer.

In the death cell, she is reported in good spirits, playing handball with the matrons and singing. She seldom mentions, even in the brief moments she is with her husband, the name of Morton Sobell.

Journal-American Photo by John Dolan.



Morton Sobell (Center) Guarded by Two Marshals

7—Morton Sobell, another City College graduate, served several years on a highly confidential Navy radar research job. Throughout most of this period and after, Sobell, according to trial testimony, was trying to recruit students and government workers to supply vital military information. Working with Julius Rosenberg, Sobell played a major role in the spy network.

But Rosenberg's engineer partner and fellow-spy has become the forgotten man of the case because he did not receive the death sentence. Instead he is serving 30 years in Alcatraz.

AP Photo.



Judith Coplon

S—Judith Coplon fits into the pattern of Soviet intrigue although she was not a member of the Rosenberg apparatus.

She was arrested here March 7, 1949, by the FBI with Valentin Gubitchev, a member of the Soviet Delegation to the UN. For months Judith, an employe of the Justice Department, had been supplying Gubitchev with top secret information from the FBI files.

On March 9, 1950, the Coplon girl and Gubitchev were found guilty of espionage conspiracy and he was ordered deported to Russia. Her sentence was reversed nine months later and Judith was freed although the higher court said her guilt was plain. The Justice Department has made no effort for almost two years to retry her.



Judge Irving R. Kaufman

Judge Kaufman, at 40, was one of the youngest judges on the U. S. bench when the Rosenberg case came before him in March, 1951.

A Fordham Law School graduate, Kaufman became assistant U. S. Attorney at the age of 24 and gained a reputation as a vigorous prosecutor in the F. Donald Coster and other important Federal cases.

He resigned in 1940 to go into private practice and in 1947 was named as Assistant U. S.

Attorney General. President Truman appointed him to the bench on Oct. 15, 1949.

He married Helen Rosenberg, daughter of a New York attorney, and has three children.

An intense little fellow with a passion for detail and a stickler for the fine points of law, Kaufman knew in March, 1951, that he might have to face a decision that almost never confronts a Federal judge—the decision of life or death for defendants.

Special American
Photo by Ed Fickwood



Seated (l. to r.): Myles J. Lane, Irving H. Saypol; Standing: James B. Kilshcimer, Roy M. Cohn

10—Irving H. Saypol's two years as U. S. Attorney were crammed with activity and the Communists in a short time came to regard the able lawyer as one of their most dangerous opponents. The Rosenberg trial was only one of many anti-Red prosecutions conducted by Saypol in his administration.

He is shown conferring with members of his staff before he began the Rosenberg trial. Cohn, his confidential assistant, prepared much of the evidence against the Rosenbergs and examined David Greenglass, the chief government witness. Kilshcimer assisted Cohn in handling the evidence. Lane presented the evidence under Saypol's supervision to the grand jury that indicted the Rosenbergs.

Saypol now is a N.Y. Supreme Court justice; Cohn is chief counsel to the Senate Investigating Committee, and Lane is the incumbent U. S. Attorney. Kilshcimer is in charge of Communist investigations for Lane.

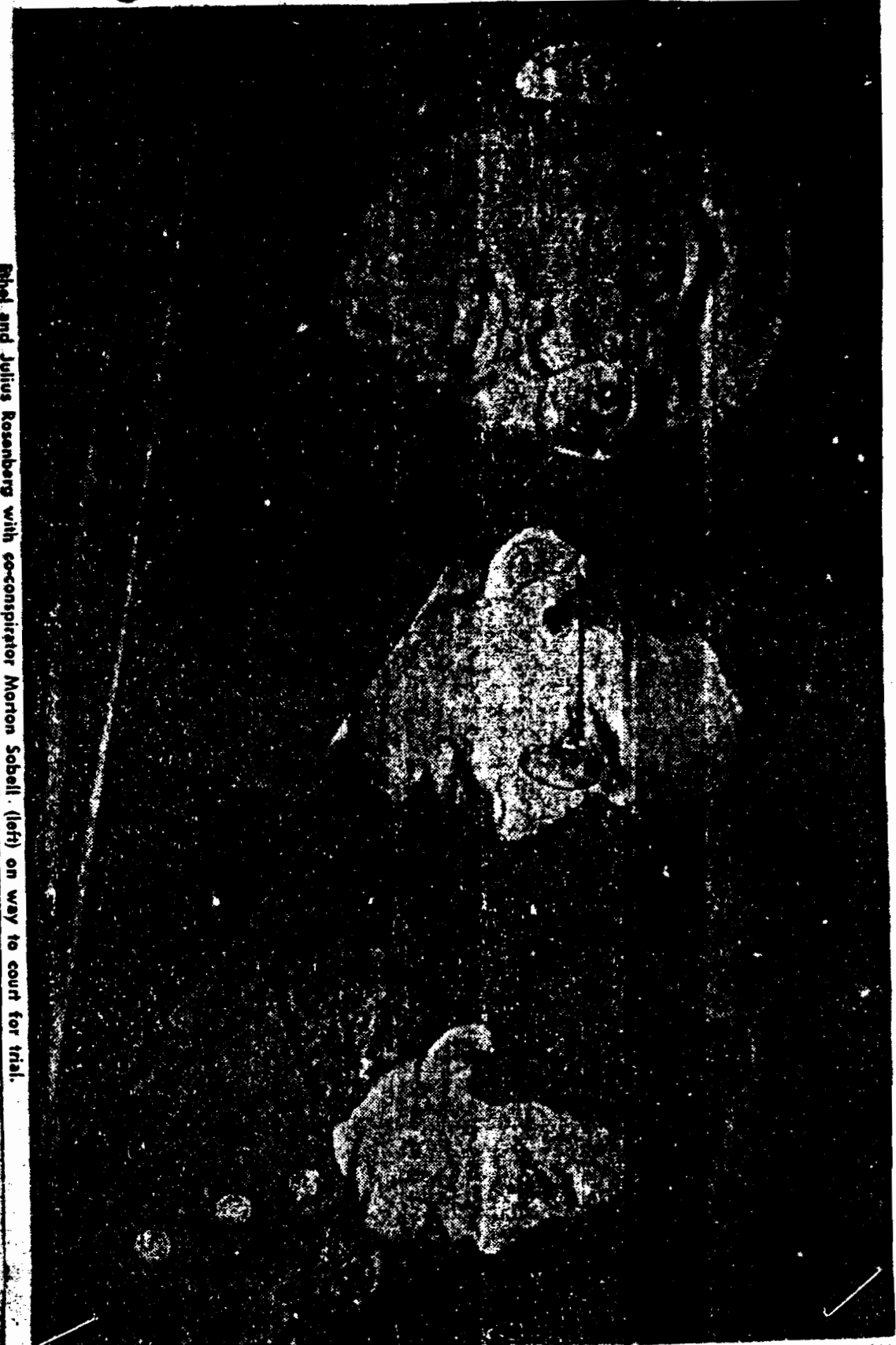
Journal-American Photo by Jack Lavin



11—The gilt-domed U. S. Courthouse, scene of the conviction of the 11 Communist conspirators in 1949 and Alger Hiss a year later, was a bee-hive of activity in March, 1951. The Kefauver crime investigation was in full swing on one floor and the Rosenbergs were on trial as A-bomb spies in the building's largest courtroom, historic No. 110.

Journal-American Photo

U. S. Courthouse (left), fronted by crowds during Rosenberg trial.



Ethel and Julius Rosenberg with co-conspirator Morton Sobell (left) on way to court for trial.

12—Both Rosenbergs took the stand when the defense opened and denied they had spied for Soviet Russia or sought atomic data from Ethel's brother, David Greenglass. But when Saypol cross-examined them, the Rosenbergs kept silent concerning their past or present membership in the Communist Party. Julius attempted to explain away Greenglass' testimony on the basis of a family quarrel over business matters. Ethel, who eyed her brother with savage hatred during his testimony, denied most of his story. Sobell did not take the stand and throughout the trial maintained as almost silent attitude.

AP Wire



Mrs. Ruth Greenglass

13—Mrs. Greenglass, brunette, was another government witness in the trial. Unlike her husband, she was not indicted as a defendant in the case and her calm, factual testimony against her in-laws was a major part of the prosecution's evidence.

Ruth said that Julius knew before she did that David was working on the A-bomb and offered to pay her expenses for frequent trips to Los Alamos to recruit Greenglass.

"Julius said money was no object," she testified. "He told me the money was coming from the Russians." She made several trips to New Mexico and, after David had agreed to co-operate, carried information back to the Rosenbergs. Journal-American Photo



Elizabeth Bentley

16—Elizabeth Bentley, a former Soviet spy courier, supplied the most direct link in the government's charge that the Rosenbergs worked with Russian secret agents.

As assistant to Jacob Golos, head of Soviet espionage in this country, Miss Bentley said a man named "Julius" would often telephone Golos and she would then get in touch with the spy leader.

17 Max Elitcher, a 32-year-old engineer, testified Julius Rosenberg and Morton Sobell repeatedly tried to get him to steal armament data while Elitcher was in the Navy's Bureau of Ordnance.

The soft-spoken witness said Sobell recruited him into the Communist party while the two were rooming together in Washington in 1939.

He later met Rosenberg, the witness said, and in 1944, Julius approached him and asked Elitcher to supply classified information which Rosenberg would turn over to Russia.

AP Photo



Max Elitcher



Mrs. Tessie Greenglass

Photo by Jack O'Connell
Journal-News

18—Aged and ill, Mrs. Tessie Greenglass sat in her East Side tenement at 64 Sheriff st., the morning of March 29, 1951, waiting for news of her daughter, Ethel. Then the word came: "death in the electric chair." The kindly-faced, 69-year-old immigrant clasped her hands in prayer.

Later she said: "I can't get over it—to think of my children come to such a state. I am grateful to the United States and it hurts me that Russia could have influenced my boy and girl."



Rosenbergs After Hearing Doom

20—The Rosenbergs cling to each other in the police van a few hours after Judge Kaufman sentenced them to death "for a crime worse than murder." Both took the sentence stolidly, Ethel—three years older—more calmly than Julius.

The tears and the emotion shown here changed a few days later and the Rosenbergs started issuing standard Communist propaganda "we-were-framed" statements through their attorney.

Journal-American Photo by Charles Carson.



Julius and Ethel Rosenberg on way to Sing Sing

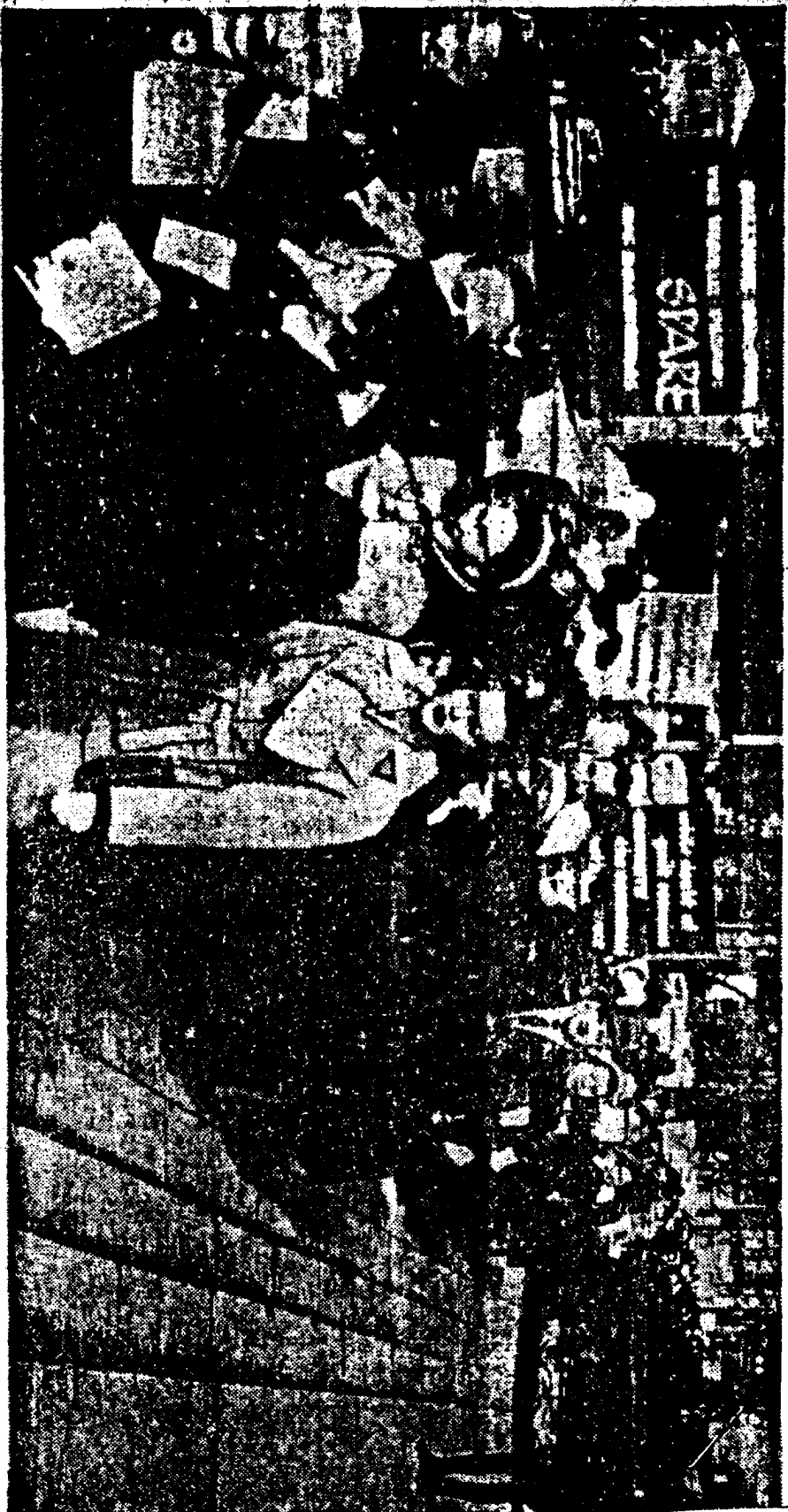
AP Photo.

21—Parted by steel wire that soon became death house bars, the Rosenbergs have a few last words. She is the only inmate of the women's wing of the death house and is reported in good spirits, playing handball with matrons and listening to the radio in her comfortable cell.

✓ Ethel is guarded by four matrons working

in shifts and the total cost of her upkeep since she entered the death house in April, 1951, has been more than \$17,000.

Julius is kept in the men's wing and is reported to be sullen and unfriendly in contrast to his wife's good spirits. They see their sons once a month in the warden's office and confer weekly with their attorney.



Pickers from New York surround White House in fight for Truman clemency

Following the refusal of the Supreme Court to review the conviction of the Rosenberg spies, their sisters urged President Truman to grant clemency to the convicts, but he did not intervene in the case, leaving the matter up to President Eisenhower.

Latest report is that Gen. Eisenhower may not decide on the appeal for executive clemency for "many weeks." Meanwhile the Communists—who completely ignored the Rosenbergs during the 1951 trial—are supplying long lists of clemency appeals to the

White House, which is frequently picketed as above. Forgotten entirely is Morton Sobell, the other conspirator. To the Reds, he has little publicity value. He did not receive death—only 30 years on Alcatraz.

Will It Be THIS--or--THIS?



Some have urged life sentences for the Rosenbergs in cells like these, not out of pity for the spies, but in hope that eventually one would disclose names of other traitors.



Whether the Rosenbergs will ever see this grim chair depends on President Eisenhower when he decides on the appeal for executive clemency. That will be the end of their story.

Rosenberg Clemency Backers Comment on Red Anti-Semitism

Americans thus far have not reacted to Soviet anti-Semitism with the indignation and unanimity they once displayed toward Nazi anti-Semitism. The spectacle of the remnants of European Jewry—and we mean remnants, for only paltry thousands are left out of former millions—being extirpated by Communism, is one of the most pitiful ever beheld by man. It should warrant not just an outcry of horror and indignation that will reverberate throughout the world, but positive acts that will stay, if possible, the hands of the executioners. THE NEW LEADER therefore proposes that Americans:

1. Organize a worldwide petition drive protesting Red anti-Semitism and demanding that Stalin halt it and/or permit the survivors of European Jewry to emigrate.

2. Demand that the United Nations pass a resolution condemning the Soviet Union for practicing genocide.

3. Demand that the United Nations petition Soviet Russia and its satellites to permit the emigration of 2,500,000 Jews under their jurisdiction.

4. Publish in full the verbatim transcript of the Prague purge as a "Black Book of Red Anti-Semitism" and give it worldwide distribution.

In addition, churches, labor unions, fraternal bodies, foreign-language organizations, veterans groups, not to speak of the Congress itself, should pass resolutions and hold meetings protesting Soviet persecution of Jews and other minorities and religions.

We have already begun, in a magazine, to do whatever we can to arouse public sentiment. On Wednesday, January 14, we sent this telegram to thirty-five men and women whose names had appeared in the *Daily Worker* as asking for clemency for the Rosenbergs:

The New Leader
Jan. 26, 1953 pp. 4, 5, 6.

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On the Line:

Response to Spy Series

By BOB CONSIDINE

TWO often, I think, a newspaper man writes a piece or series of pieces about a matter of widespread public interest, and then lets the matter rest. The reading public is consequently denied all knowledge of how the article or articles in question were received.

A case in point was our recent series on the case of Julius and Ethel Rosenberg.

The Daily Worker, some of its readers and others issued very strong protests about the "tone" of the piece. The Worker seemed especially upset because the pieces were written by "an ex-sportswriter."

The response from the other side of the issue was just as articulate, including a letter from a Marine veteran:

"I recently returned from 13 months active duty on a machine gun in Korea. I was wounded twice while participating in ground action against a known enemy of the United States.

Died in Vain

"The U. S. is the most wonderful nation in the world and if anybody tries to destroy it they should pay with their life. If the U. S. lets these spies off with a commuted sentence it will only prove that all my fellow Marines who so valiantly gave their lives have all died for a worthless cause.

"True, they are parents of small children. But when I shipped overseas there was a kid along who was 20, married and about to become the father of a child he never got to see. My buddy was killed in our first fire fight.

"If the Rosenbergs live I would like to have someone tell that young baby when he grows up why his marine father had to die while two convicted spies were allowed to live."—Sgt. Charles W. Curley, USN Torpedo Station, Keyport, Wash.

Then there were an intermediate response, perhaps best summed up by a letter from Pontiac, Mich., which suggested that if the Communist party is so worked up over the Rosenbergs maybe we can arrange to exchange them for a few hundred or a few thousand of the "so-called stupid" American prisoners now being held prisoner in Korea.

These responses must be magnified hundreds of thousands of times so far as President Eisenhower is concerned. He inherited the case because there wasn't time enough for the Justice Department to prepare it for Mr. Truman's consideration.

A Son's Demand

During the short, pitiless trial of the Czechoslovakian Communists who had fallen out of favor, the strongest case against defendant Ludwig Frejka, once economic advisor to the Czech Communist government, was provided by the man's son—who wrote to the President of the court as follows:

"Esteemed comrade: I demand the death penalty for my father. Now I see that this creature, which cannot be called human, because it hasn't any human feelings and any human dignity, was my greatest and most inveterate enemy.

"...Most of all my hatred of my father will always give me strength in my struggle for the Communist future of our people. I demand that this letter be shown to my father and that eventually I will be given the opportunity to tell it to him myself."

Young Frejka's schoolmates ostracised him after publication of the letter. On Jan. 12, according to news reaching the National Committee For a Free Europe, from behind the Iron Curtain, the boy committed suicide.

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all the official trials staged by the Russian Government, not only that in Prague." Harold Gray, the Jewish abolitionist, whose name was recently exploited in connection with the Rosenberg case, puts that case in proper perspective as something that "lades as complete insignificance compared to the Prague trial, the attacks on the great doctors, and the imminent anti-Semitism in the U.S.S.R." And Rabbi Feldman, who has frequently adorned pro-Communist fronts, was perhaps most eloquent of all against the "Nazi-like terror and extermination instituted by Soviet authorities" against Jews. We fully expected, of course, the kind of responses we received from Rev. A. J. Ruste, Rev. John Haynes Holmes, Rev. Donald Harrington, Waldo Frank and other democrats who do not keep two sets of books.

While no effort should have been necessary to elicit these protests, in our time it is necessary to separate the wheat from the chaff in such matters—to isolate, if you will, the Rockwell Kents who view "Zionism" as "Neo Fascism." If the program enunciated above serves no other purpose, perhaps it will shake loose from their Stalinist shackles all who can be shaken loose, and leave fettered to them the tiny minority to whom tyranny is "people's democracy."

Rabbi Abraham Cronbach:

BEHIND THE ROSENBERG CASE, as well as that of the Russian physicians, sprawls the hideous barbarity of capital punishment. Capital punishment should be abolished everywhere. Still more vicious in both cases is the belief in the necessity of war. Without that belief, neither of those horrors could have arisen. The only way to abolish treason is to abolish war. The only way to abolish espionage is to abolish war. War is not national defense. War is national jeopardy. Our only national defense is international amity. This applies alike to Russia, to America and to all countries whatsoever.

Albert Einstein:

IT GOES WITHOUT SAYING that the perversion of justice which manifests itself in all the official trials staged by the Russian Government, not only that in Prague, but also the earlier ones since the second half of the Thirties, deserves unconditional condemnation.

Another question is what can be done from here against the course of these contemptible methods and devices. A public statement by myself or somebody else would never reach effectively those whose attitude one wishes to influence. In this respect, you cannot compare the actions in favor of the Rosenbergs with the action you are proposing to me in the case of the Jewish doctors. I cannot see how such action could have any other effect than to fan the flames of mutual hatred.

"NOTE YOUR SUPPORT ROSENBERG CLEMENCY. IN NAME HUMAN RIGHTS WE ASK YOU MAKE EQUALLY FORTHRIGHT CONDEMNATION ANTI-SEMITIC PRAGUE TRIAL AND IMMINENT EXECUTION SOVIET JEWISH DOCTORS. PLEASE WIRE COLLECT PROTEST UP TO ONE HUNDRED WORDS."

Below are the replies we have received so far.

Rev. Willard Uphaus, who calls himself a "Christian pacifist," utilizes the occasion to attack our foreign policy rather than the issue at stake. Rockwell Kent paraphrases Molotov's well-known "Fascism is a matter of taste" in these words: "Zionism, like Fascism, is a political movement." Professor Shapley issues a one-sentence condemnation of anti-Semitism in general—but at other times, as when he headed the pro-Communist Waldorf "culture" meeting, he has never been known for such reticence. Robert Morris Lovett, too, who was once a liberal of some stature, demonstrates a peculiar blind spot when he writes that he "cannot be equally forthright" on Red anti-Semitism as on the Rosenberg case.

We suppose we ought to be thankful that others expressed themselves forthrightly. Albert Einstein, who has so often been used by the Communists (but who was recently attacked violently by Yuri Zhdanov), speaks out against "the perversion of justice which manifests itself in