

FILE DESCRIPTION

NEW YORK FILE

SUBJECT **MORTON SOBELL**

FILE NO. **100-37158**

VOLUME NO. **39**

SERIALS **2375**

THRU

2431

NOTICE

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Serial	Date	Description (Type of communication, to, from)	No. of Pages		*	Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released		
2375	9/14/66	NY Teletype to HQ PH	3	0	Yes	Bufile 101-2483
2375	9/14/66	Typed teletype of above	3	0	Yes	Bufile 101-2483
2376	9/15/66	NY teletype to HQ A Q MM	1	0	Yes	Bufile 101-2483
2376	9/15/66	Typed teletype of above	2	0	Yes	Bufile 101-2483
2377	9/15/66	PH Airtel to HQ	4	0	Yes	Bufile 101-2483
2378	9/15/66	Letter to AUS. AF. 6a	2	2	No	
2379	9/14/66	HQ Letter to U.S. AF. 6a	2	0	Yes	Bufile 101-2483
2380	9/16/66	HQ teletype to A Q	1	0	Yes	Bufile 101-2483
2381	9/17/66	A Q teletype to HQ	1	0	Yes	Bufile 101-2483
2382	9/8/66	NY Letter to LA	3	2	No	
2383	9/19/66	NY Airtel to HQ	2	0	Yes	Bufile 101-2483
2384	9/22/66	NY Airtel to HQ	1	0	Yes	Bufile 101-2483

*Designated to or from Bureau and/or Albuquerque, New York

File No: 100-37158

Re:

MORTON

SOBELL

Date:

11/77

(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		
2385	9/20/66	NY Airtel to HQ	2	0	Yes	BoFile 101-2483
2386	9/20/66	HQ Airtel to NY	2	0	Yes	BoFile 101-2483
2386	9/20/66	Copy of Airtel	1	0	Yes	BoFile 101-2483
2387	9/21/66	HQ Airtel to NY	1	0	Yes	BoFile 101-2483
2387	9/21/66	copy of airtel	1	0	Yes	BoFile 101-2483
2388A	9/22/66	INTERVIEW Enclosure to 2388A	1	1	No	
2388A	9/20/66	OK Letter to NY	1	1	No	
2388A	9/20/66	copy of Letter	1	1	No	
2389	9/21/66	AQ teletype to HQ	1	0	Yes	BoFile 101-2483
2390	9/16/66	FD 306 + Enclosure	5	5	No	
2391	9/12/66	NY to NK FD 306	4	0	Yes	process - T.M. [unclear]
2392	9/20/66	NY teletype to HQ	2	0	Yes	BoFile 101-2483

*Designated to or from Bureau and/or Albuquerque, New York

File No: 100-37158

Re:

MORTON

SOBELL

Date:

11/77
(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		
2392	9/27/66	Typed teletype of above	2	0	Yes	Aa File 65-50
2393	9/28/66	NY airtel to HQ	4	0	Yes	Bufile 101-2483
2394	9/29/66	FD 306	2	0	No	
2395	5/11/36	HQ Letter to BS	2	2	Yes	Process - Third Party
2395	8/28/37	CAPT: ELIZABETH MC CARTHY BS letter to HQ	2	2	Yes	Process THIRD PARTY
2396	10/3/66	copy to NY BS airtel to HQ	2	0	Yes	Bufile 101-2483
2396	10/3/66	Copy of airtel	2	0	Yes	Bufile 101-2483
2397	10/6/66	FD 306	2	0	No	
2398	10/2/66	HQ Letter to U.S. Atty Gen	3	0	Yes	Bufile 101-2483-107
2399	10/5/66	FBI Lab Report	3	0	Yes	Bufile 101-2483
2399	10/5/66	copy of Lab Report	3	0	Yes	Bufile 101-2483
2400	10/5/66	FBI Lab Report	1	0	Yes	Bufile 101-2483

*Designated to or from Bureau and/or Albuquerque, New York

File No: 100-37158

Re: MORTON SOBELL

Date:

11/77
(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		
2400	10/5/66	copy of Lab Report	1	0	Yes	BUFILE 101-2483
2401	10/10/66	NY Airtel to HQ	3	0	Yes	BUFILE 101-2483
2402	10/13/66	Letter to U.S. AT. GEN	2	2	No	
2403	10/13/66	PH Airtel to HQ	4	0	Yes	BUFILE 101-2483
2404	10/18/66	NY Airtel to HQ	2	0	Yes	BUFILE 101-2483
2405	10/4/66	FD 306	2	0	No	
2406	10/20/66	CAPTIONED: SWP, NYL NY Letter to BS	10	10	No	
2407	10/20/66	S.A. Letter NY CAPTIONED: COMMITTEE to JAMES M. SOBELL	3	0	No	
2409	10/25/66	NY Letter to BU	8	0	No	
2410	10/17/66	Pre-Trial STATEMENTS	29	29	No	
2411	9/66	Envelope to 2412	1	0	No	
2412	10/24/66	NY Letter to CG	1	1	No	

*Designated to or from Bureau and/or Albuquerque, New York

File No: 100-37158

Re:

MORAN SOBELL

Date:

11/23
(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		
2413	10/10/66	NY Letter to LA	4	4	NO	
2414	10/28/66	FD 306	2	2	NO	
2415	10/29/66	NY Airtel to HQ	2	0	Yes	BoFile 65-57449
2416	11/8/66	FD 306	2	0	NO	
2417	11/15/66	Letter to SAC NY CAPTIONED: HELEN SOBELL	1	1	NO	
2418	11/18/66	FD 306	2	0	NO	
2419	11/22/66	SA Letter to NY	7	0	NO	
2420	10/14/66	FD 306 + ENCLOSURE	6	3	NO	
2421	10/13/66	FD 306 + ENCLOSURE	6	3	NO	
2422	10/10/66	FD 306 + ENCLOSURE	3	3	NO	
2423	10/12/66	FD 306 + ENCLOSURE	3	0	NO	
2424	10/18/66	FD 306 + ENCLOSURE	4	0	NO	

*Designated to or from Bureau and/or Albuquerque, New York

File No:

100-37158

Re:

MORTON SURELL

Date:

11/27
(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		
2425	10/18/66	FD 306 + Enclosure	3	0	NO	
2426	10/18/66	FD 306 + Enclosure	6	3	NO	
2427	12/19/66	PH Letter to HQ	1	0	Yes	BUFILE 101-2483
2427	12/19/66	copy of letter	1	0	Yes	BUFILE 101-2483
2428	12/19/66	FD 306	2	0	NO	
2429	10/13/66	FD 306 + Enclosure	3	0	NO	
2430	12/2/66	SA Letter to NY	1	1	NO	
2431	11/3/66	FD 306	2	0	NO	

U. S. Department of Justice

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

CLASSIFICATION NO.

100
37158

FEDERAL BUREAU

of

INVESTIGATION

Bureau File Number 101-2485

Serials

2375-2431

Volume Number

39

NO INFORMATION FROM THIS
BE MADE THE
OF A REPORT,
CORRESPONDENCE
INVESTIGATION
CLEARANCE FROM

S/

Also Nos. SECTION 33

W. A. Murphy paper
clippings

9 items enclosed



8-16-65

LAW OFFICES
PEPPER, HAMILTON & SCHEETZ
FIDELITY-PHILADELPHIA TRUST BUILDING
123 SOUTH BROAD STREET
PHILADELPHIA, PA. 19109

September 15, 1966

Mr. Robert L. King
Assistant United States Attorney
United States Attorney's Office
Southern District of New York
United States Court House
Foley Square
New York, New York 10007

RE: Morton Sobell vs. United States of America
66 Civil
1328

Dear Mr. King:

In 1961 Walter and Miriam Schneir came to Mr. John D.M. Hamilton and myself, Court appointed counsel for Harry Gold, and requested permission to listen to recordings which Mr. Hamilton and I had made of our conversations with Mr. Gold prior to his sentencing in Philadelphia in 1950. Mr. and Mrs. Schneir stated that they were working on a definitive book on atomic espionage and that they felt that "a full and fair portrait of Harry Gold will only be possible" if the requested material was made available to them.

Mr. and Mrs. Schneir indicated to us that they had already done extensive research, but that they felt that listening to the tapes would give them the essential feel for their subject that makes a book come alive and that they hoped "more public awareness of Gold's case may make his release more likely and, certainly, the more biographic information we have about Gold the more sympathetically we can portray him."

Summarizing the representations which the Schneirs had made to us respecting their motives, Mr. Hamilton and I left to Harry Gold the decision as to whether the Soundsciber discs which had been made of our prison interviews should be turned over to the Schneirs so they might listen to them. Mr. Gold advised us to make the discs available to the Schneirs and arrangements were made for the authors to listen to the discs in a Philadelphia hotel as they were played on a Soundsciber machine which we loaned to them.

100-37158-237

REC
SEARCHED
SERIALIZED
INDEXED

Mr. Robert L. King

-2-

September 15, 1966

The result of the Schneirs' efforts was the book published by Doubleday entitled, "Invitation To An Inquest" in which Harry Gold is portrayed in a manner that is scarcely sympathetic. On the assumption that the general thrust and content of "Invitation To An Inquest" is familiar to you, I will not enumerate the scurrilous references to our client which are spread across its pages.

You have informed me that without authorization from us and (to the best of my recollection) without our knowledge the Schneirs not only listened to the Soundsciber discs but surreptitiously made tape recordings thereof which are presently in the hands of the counsel for Morton Sobell who have requested the Court to listen to the tapes in its consideration of the above captioned proceedings. You have further informed me that the Court has taken this feature of the case under advisement.


I wish to state unequivocally the position of Harry Gold as well as Mr. Hamilton and myself that the limited permission given to the Schneirs to listen to the discs in preparing their manuscript has been flagrantly violated and that there was no intention at any time to waive the privileged character of this material to such an extent that it would become admissible in judicial proceedings involving Morton Sobell. If, however, the Court should disagree with this position, we are not at all satisfied that the tapes which the Schneirs made are true and correct and full reproductions of the original discs and we would prefer that the Court listen to the original discs rather than the tape recordings made thereof.

Accordingly, we are handing this letter and what we believe to be all of the Soundsciber discs of our pre-sentencing interviews with Harry Gold and certain hand-written notes made by Mr. Hamilton and myself at that time to Mr. Silverthorn of the Federal Bureau of Investigation with the express understanding that this material from our files is to be used only in accordance with orders of the Court in the above proceedings and is thereafter to be returned to the undersigned. The discs are contained in six Soundsciber Disc Filers and there are a total of forty-four discs delivered herewith.

Very truly yours,

Augustus S. Ballard
Augustus S. Ballard

Receipt of original letter and material referred to therein is hereby acknowledged.

 b7c
Special Agent, Federal Bureau of Investigation

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2382 DATE 9-8-66

CONSISTING OF 3 PAGES

OF WHICH PAGE 2

is exempt from disclosure, in its entirety,
under (b)(1) as it has been classified pursuant
to Executive Order 11652 as it contains
information which would disclose an intelligence
source. This serial bears the Classification
Officers number 2040.

OFFICE MEMORANDUM UNITED STATES GOVERNMENT

TO: SAC, LOS ANGELES (100-41648) DATE: 9/8/66
FROM: SA [REDACTED] b7c
SUBJECT: LOS ANGELES COMMITTEE TO
SECURE JUSTICE FOR MORTON
SOBELL (LACSJMS)
IS-C

SOURCE	ACTIVITY	RECEIVED	AGENT	LOCATION
[REDACTED] b1	[REDACTED] b1	8/30/66	Writer	[REDACTED] b1

Informant's report has been Xeroxed and is attached.

ACTION:

Informant was thoroughly interviewed concerning the above and could add nothing further.

All necessary action has been taken by the writer.

CC: 1 - NEW YORK (REGISTERED)
100- (MORTON SOBELL)

[REDACTED] b1
[REDACTED] b1
[REDACTED] b1

CEW:LAL
(19) Read by CEW

100-37158-2382

SEARCHED	INDEXED
SERIALIZED	FILED
33 SEP 14 1966	
FBI - NEW YORK	

[Handwritten signature]

APPENDIX

COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL.

A source advised on May 3, 1966, that the Los Angeles Sobell Committee is the Los Angeles, California affiliate of captioned organization.

"Following the execution of atomic spies ETHEL and JULIUS ROSENBERG in June, 1953, the "Communist campaign assumed a different emphasis. Its major effort centered upon MORTON SOBELL", the ROSENBERGS' codefendant. The National Committee to Secure Justice in the Rosenberg Case, a Communist front which had been conducting the campaign in the United States, - was reconstituted as the National Rosenberg Sobell Committee at a conference in Chicago in October, 1953, and then as the National Committee to Secure Justice for Morton Sobell in the Rosenberg Case."

("Guide to Subversive Organizations and Publications" dated December 1, 1961, issued by the House Committee on Un-American Activities, Page 116.)

In September, 1954, the name "National Committee to Secure Justice for Morton Sobell" appeared on literature issued by the Committee. In March, 1955, the current name, "Committee to Secure Justice for Morton Sobell", first appeared on literature issued by the Committee.

The above source advised on May 3, 1966, that literature relating to the Committee to Secure Justice for Morton Sobell bears the current address of the Committee as 150-5th Avenue, New York City, New York.

FEDERAL BUREAU OF INVESTIGATION

1Date 9/19/66

Mr. FRED BRAASCH, Manager, Quartz Mountain Lodge, Route 3, Lone Wolf, Oklahoma, advised as follows:

He was employed as auditor from November, 1950, to May, 1959, at the Hilton Hotel, Albuquerque, New Mexico. The policy of the Hilton Hotels was to destroy registration cards, statements and folios in due course of business, in accordance with State and Federal regulations, after the records had served their purpose. The Hilton Hotel, Albuquerque, destroyed records over seven years old, including registration cards, statements and folios, due to the storage problem. According to BRAASCH, in 1957, month and date not recalled, he supervised the destruction of these records dating back to about 1939, when the Hilton Hotel in Albuquerque opened, to about 1950. He requested LINDA HUGHES, executive housekeeper, Hilton Hotel, Albuquerque, furnish two house boys under her supervision to assist him in destroying these records in the Hilton Hotel incinerator. He did not recall HUGHES supervising this work in 1957, but only furnishing the help requested. He did not recall the names of the two employees furnished by HUGHES.

BRAASCH stated he did not see the HARRY GOLD registration card, statement or folio for June 3, 1945, during the time he was employed at the Hilton Hotel, and he definitely did not recall destroying them. He stated if any records of the hotel were returned, including pertinent records, to Mrs. A. T. SHRIVER, secretary to the manager of the hotel, or any other officer, they would as a matter of practice be sent to the auditor for replacing in the chronological order of their respective file. He said he did not recall seeing the pertinent records returned to his office.

BRAASCH advised that Mr. MARK NEAL, former assistant manager of the Hilton Hotel, Albuquerque, from 1945 to 1960, last employed at the White Windrock Motor Hotel, Albuquerque, and LUCILLE BEALE, bookkeeper, Hilton Hotel, Albuquerque, for 15 years, last residing at Morningside Drive, Albuquerque, would be familiar with this matter and possibly could furnish pertinent information. The whereabouts of ROBERT S. CORDERO is unknown to him. He could recall no additional information concerning this matter.

On 9/4/66 at Lone Wolf, Oklahoma File# OC 65-938

by SA [REDACTED] b7c Date dictated 9/12/66

100-3758-2388

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 15 1966	
FBI - NEW YORK	

SAC, NEW YORK

9/20/66

SAC, OKLAHOMA CITY (65-936)(RUC)

MORTON SOBELL
ESPIONAGE - R
(OO: NY)

Re Albuquerque teletype to Bureau, New York
and Oklahoma City dated 9/2/66, and Oklahoma City teletype
to Bureau, Albuquerque and New York dated 9/3/66.

Enclosed are nine copies of FD-302 reflecting
interview with FRED BRAASCH at Quartz Mountain Lodge, Lone
Wolf, Oklahoma.

② - New York (Enc. 9)(RM)
1 - Oklahoma City

DWB:dc
(3)

100-39158-2388 A

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
-SEP 23 1966	
FBI - NEW YORK	

*8 cc of FD-302
distributed 1/20/69
JH*

R-331

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, NEW YORK

DATE: 9/20/66

FROM : SAC, OKLAHOMA CITY (65-936) (RUC)

SUBJECT: MORTON SOBELL
ESPIONAGE - R
(OO: NY)

Re Albuquerque teletype to Bureau, New York and Oklahoma City dated 9/2/66, and Oklahoma City teletype to Bureau, Albuquerque and New York dated 9/3/66.

Enclosed are nine copies of FD-302 reflecting interview with FRED BRAASCH at Quartz Mountain Lodge, Lone Wolf, Oklahoma.

2 - New York (Enc. 9) (RM)
1 - Oklahoma City

DWB:dc
(3)

b7c

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 23 1966	
FBI - NEW YORK	

2388A



Date received 9/16/66	Received from (name or symbol number) [REDACTED] b7d	Received by SA [REDACTED] b7c
Method of delivery (check appropriate blocks) <input type="checkbox"/> in person <input type="checkbox"/> by telephone <input checked="" type="checkbox"/> by mail <input type="checkbox"/> orally <input type="checkbox"/> recording device <input type="checkbox"/> written by Informant		
If orally furnished and reduced to writing by Agent: Date _____ Dictated _____ to _____ Transcribed _____ Authenticated by Informant _____		Date of Report Exhibit
Brief description of activity or material See remarks.		Date(s) of activity Current
		File where original is located if not attached NY 100-107111-1B1578 & 1B1579

Remarks:

- 1B1578 - Letter from MORTON SOBELL to his wife dated 8/16/66, reprinted by Committee to Free Morton Sobell. (Copy is attached to NY 100-37158).
- 1B1579 - Reprint of "New York Times" 8/28/66 article "New Questions On Rosenberg Case" distributed by Committee to Free Morton Sobell.

1 - [REDACTED] **b7d**
1 - 100-37158 (MORTON SOBELL)(3)
1 - 100-107111 (CFMS)(41)

HPB:rvs
(3)

Block Stamp

100-37158-2390

[REDACTED] **b7c**

Committee To Free Morton Sobell

Fifth Avenue, New York, N.Y. 10011

Tel: 243-6030

Morton Sobell in a letter to his wife - 8/16-66:

Mrs. Morton Sobell
Mrs. Rose Sobell
Chairmen

It is amazing how so many try to make Emanuel Bloch the scapegoat of the affair of the impounding of Exhibit 8 (Greenglass's version of the cross-section of the "A" Bomb) completely losing sight of the events leading up to this "blunder".

HONORARY SPONSORS (partial listing)

Rev. Gross W. Alexander
Dr. Milnor Alexander
David Andrews
Rabbi J. S. Bass
Helen M. Beardesley
Leo Berman
Rabbi Samuel Bernstein
Warren K. Billings
Prof. C. Murray Branch
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Thus S. Zion, whose serious and objective stories on this case are of Pulitzer prize caliber, writes in the NEW YORK TIMES of July 28, "This maneuver, never explained by Mr. Bloch, has been criticized by legal experts over the years. They point out that it gave defense approval to the Government's basic contention that there was a 'secret' of producing the bomb...". While the legal experts are basically correct, they miss the whole point in thinking of it as a "maneuver" by Bloch, rather than the natural culmination of a gigantic fraud perpetrated by the prosecution.

I never met Bloch until the trial actually began, and I never saw him again after we were sentenced. But the intensity of those few weeks during the trial sufficed for me to really get to know him. He was a keen and committed man. It was the latter that may have mitigated against his being able to view the proceedings dispassionately. If his own life had been at stake he'd probably have been better able to view the proceedings with the objectivity required of a lawyer. But to him it was as if he were defending his own children.

Can one truly recall the atmosphere of those days? Well into the Korean War, McCarthyism on the ascendency, a terrible miasma hung over all the land. Thus it was that Judge Kaufman could lay the blame for the Korean War on the Rosenbergs -and no one thought him insane. What greater fantasy?

And in this atmosphere of fear Manny was effectively isolated from all except his own father who was co-counsel, and my two lawyers. Lepers weren't shunned

These Nobel laureates have asked for Morton Sobell's freedom:

Emily Greene Balch d.
Salvatore Quasimodo

Dr. Martin Luther King, Jr.
Lord Bertrand Russell
Jean-Paul Sartre

Dr. Linus Pauling
Dr. Harold C. Urey

XERO
COPY

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COPY

the way these lawyers were - by all, even their friends. Theirs was a lonely position to hold.

And throughout the trial the prosecutor never ceased his "press conferences", during which he presented all the evidence, and more, for public scrutiny - without the benefit of cross-examination by the defense, of course. For a defense attorney to try to conduct a case in the courtroom, while the prosecutor carries on a parallel case in the press and over the airwaves, can become a terrifying experience.

Thus it was, through prosecutor Saypol's press releases, that Bloch, and the public, first learned that the Government was going to place the exhibits, sketches of the lens mold, and the cross section of the atom bomb, before the jury - and that "the Atomic Energy Committee (sic) has declassified this information under the Atomic Energy Act and has made the ruling as authorized by Congress that subsequent to the trial it is to be reclassified." (p.479, printed transcript of the trial). Then he made it unmistakably clear that the release of these sketches was really going to injure the security of our nation, but that in order to assure the defendants a fair trial etc. he had had the sketches declassified - temporarily. "We are cognizant that there had to be balanced on the one hand, the disclosure of the type of information that has come out, in order to supply the requirements of the Constitutional Rights of defendants to full confrontation. That subject has been expended upon by our courts. That, weighed against the national security.")p.505) And then he went on, bringing the Joint Congressional Committee and the AEC into the act - all of which served two purposes.

First, it gave an air of authenticity to the sketches (would the AEC and the Joint Committee be concerned over inauthentic drawings?) Second, it put Bloch right on the spot. (Because you, Bloch, insist on being technical and demand full Constitutional treatment for your clients, the security of our nation will be jeopardized!)

And Bloch reacted, as they hoped he would, out of concern for the welfare of our nation. The fact that, logically, none of this made sense (it had already been transmitted to the Soviet Union, according to the prosecution, so who was it being hidden from?) was overshadowed by the emotional issues involved----- and the overwhelming force of all the mighty arms of the Establishment. Could Bloch imagine that the whole weight of the Government would lend itself to such a gigantic fraud? Giving authenticity to a trivial sketch? So it could be used by the prosecution to secure a conviction? Only in retrospect, where one can see the true political nature of the trial, can one understand why this gigantic fraud was committed.

But this didn't finish the fraud. Saypol needed to further impress the jury with the authenticity of the "Atom Bomb" sketch. So while there were literally hundreds of physicists to choose from, the prosecution picked on Derry, an electrical engineer, to testify that the sketch, Exhibit 8, "demonstrate(s) substantially and with substantial accuracy the principle involved in the operation of the 1945 atomic bomb" (p. 910)

Why was this Derry, who "knew each and every detail of the construction of the weapon...", and who "...understood the entire subject matter...", (p.910), a graduate of a 3rd rate school (Rose Polytechnic Institute), with no graduate degree of any sort, whose previous experience was solely in electrical construction - chosen to authenticate the sketch? His job was not at Los Alamos. He was only a liason officer (high class messenger boy) for General Groves. (Today Derry is still in construction.) Because "he was the liason to the man (Oppenheimer) directly and officially charged with the development and use of the weapon"? (p.912) Oh, so extremely clever! Why didn't they bring in the janitor - "Who swept the floor of the man etc." to testify? At the other extreme, why not Oppenheimer himself?

The reason they chose Derry is because no physicist would have been willing to authenticate the sketch, for what it was purported to be, "a sketch of the atom bomb when it had already been perfected" (p.913) - when in fact it was an egregiously wrong version of a bomb any physicist, at that time, anywhere in the world, would have correctly assembled on paper, on the basis of well known physical principles. However, once the AEC had taken its position no other scientist with security clearance could question, or even examine this material without fear of loss of clearance, or worse. But the fraud didn't end there.

In March of this year, when the lawyers went into court to get permission to unimpound Exhibit 8, they were permitted only limited use of it. They had to notify the U.S. Attorney whenever they proposed to show it to anyone for comment - and I still wasn't permitted to have a copy.

Then after the devastating affidavits from Professors Morrison and Linschitz were secured, the government prosecutor tried once again to get it re-impounded. And when our lawyers opposed this, they even had the gall to argue that the argument on impounding should be in closed court - "in the national interest", the U.S. Attorney said. Only now, the AEC, evidently realizing that the matter was too far out in the open to keep suppressed much longer, and not wanting to be left holding the bag, would not back up the U.S. Attorney in his claim to the court, "that the AEC was opposed to the general publication of a copy of the alleged sketch of the atomic bomb..." (N.Y. Times July 30), and without the backing of the AEC the U.S. Attorney was forced to acknowledge that he could no longer oppose dissemination of the sketch. Nor did the fraud end here.

Now the Judge started to lecture our attorneys on how they must exercise responsibility in utilizing the sketch - shades of 1951. But this was 1966, and the scientists' affidavits had already exposed the hoax. This still did not deter the Establishment from trying to milk the last ounce of propoganda from the fiction that Exhibit 8 represented with substantial accuracy the bomb that was dropped on Nagasaki.

Where do we go from here? If this were an ordinary case and "ordinary" fraud had been committed by the prosecution there would be no question of the outcome. And I'd be thinking in terms of freedom now! But this wasn't an ordinary trial, it was a political trial. And besides, the Rosenbergs are dead.

Thus the most immediate question that arises is whether the U.S. Government will allow its courts to be used to cast further doubt on the "guilt" of Ethel and Julius. So many questions that a real hearing could clear up: Was the sketch of the Atom Bomb, Exhibit 8, ever really classified by the AEC? Who classified it? A scientist or a politician? How come there was no classification stamp on it? What did the physicists tell the prosecution concerning the sketch? Etc.

I don't believe they will give us a hearing where all these questions will have to be answered. But under the law they can't deny us a hearing now, and yet they can't afford to have one either. What would come out of a hearing would literally shake the foundations of the entire Judiciary. It's their dilemma. They created it when they allowed me to live while they put Julius and Ethel to death.

I can only see one definitive solution from their point of view - and I'm not talking about my freedom either. We think of the lives already lost - Ethel and Julius Rosenberg, and as truly, that of Emanuel Bloch. Must there be yet more?

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2391 DATE 9-13-66

CONSISTING OF 4 PAGES

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

FILE # L00-37158

SUBJECT MORTON SOBELL

SERIAL 2394 DATE 9.29.66

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety,
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to Executive Order 11652 as it contains
information which would disclose an intelligence
source. This serial bears the Classification
Officers number 2040.

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

May 11, 1936

30-94

Special Agent in Charge,
Boston, Massachusetts.

Dear Sir ;

The Bureau is desirous of obtaining as much information as possible, both favorable and unfavorable, concerning individuals who purport to be experts in the various fields of scientific crime detection and who undertake to give expert testimony on subjects of this nature before the courts. This will, of course, include both those who are members of authorized law enforcement agencies and those who practice these sciences on the outside, either commercially or occasionally. Accordingly, your office is instructed to conduct a discreet investigation with a view to determining the credibility and ability of such individuals within your district. As of assistance to your office in this undertaking, there is transmitted herewith a list made up from the indices of the Bureau containing the names of those who according to the Bureau's records engage in this work to a greater or lesser extent within your district. Much of the data furnished you in this list consist of information reported to the Bureau by its field offices as the result of a survey conducted on this subject matter about five years ago. Information is, of course, desired on others who engage in this work and who may not be included on the list submitted.

Reports should be made on these investigations in letter form to the Bureau and a separate letter should be submitted on each individual concerned, except, that if the information on several individuals is scant, more than one may be included in one letter, provided an extra carbon copy of the letter for each additional expert included therein is furnished for the Bureau's files. The information reported should include, where possible, data concerning any case in which the expert appeared, the outcome of which was inconsistent with the testimony of the witness and which for this reason might tend to indicate his unreliability.

Very truly yours,

/s/ J. E. Hoover

John Edgar Hoover,
Director.

COPY

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 4 1966	

100-37158-2395

80-70-2

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

MAY 13 1936

BOSTON OFFICE

Jmas

MISS ELIZABETH MCCARTHY, FORTY COURT STREET, BOSTON, MASSACHUSETTS

QUESTIONED DOCUMENTS

*Smith, R. W. P. O.
Boston office.*

80-20-1

U.S. DEPARTMENT OF JUSTICE
MAY 13 1936
BOSTON OFFICE

[Signature]

Post Office Box #2344
Boston, Massachusetts
August 28, 1937

Director,
Federal Bureau of Investigation,
Washington, D. C.

Re: MISS ELIZABETH McCARTHY
40 Court Street, Boston, Mass.
QUESTIONED DOCUMENTS

b7c

Dear Sir:

Reference is made to the Bureau letter dated May 11, 1936, concerning the individual named above.

Investigation conducted by this office reveals that Miss McCarthy is an Attorney-at-Law and has been a member of the local bar since October 9, 1923. Miss McCarthy is reputed to be a handwriting expert, and is known to have frequently testified in such capacity, but her reputation as such is not good. No records are available in the local courts concerning any type of "expert" witnesses, but it is generally believed that Miss McCarthy will testify as an expert in any manner that is desired.

It has been determined that Miss McCarthy's training as a handwriting expert was gained while she was employed years ago in the office of one HINGSTON, who enjoyed a fine reputation as a handwriting examiner. According to reports, Miss McCarthy does not employ any equipment to assist in her handwriting examinations other than a cheap microscope. She is not known to prepare charts, photographic enlargements, or other means of comparing various writings.

Miss McCarthy, as an attorney, is favorably known in her profession.

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It has been discovered that in the recent disbarment proceedings against John J. Brennan, a local attorney in the

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80-20-3

Suffolk County, Massachusetts, Superior Court, Miss McCarthy testified as a handwriting expert in behalf of the defendant.

The outcome of that case was inconsistent with the testimony of this expert.

Very truly yours,

E. L. SOUCY
Special Agent in Charge

ENC:143


b7c

FILE # L00-37158

SUBJECT MORTON SOBELL

SERIAL 2397 DATE 10-6-66

CONSISTING OF 2 PAGES

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to Executive Order 11652 as it contains
information which would disclose an intelligence
source. This serial bears the Classification
Officers number 2040.

PEPPER, HAMILTON & SCHEETZ

ATTORNEYS AT LAW

123 SOUTH BROAD STREET

PHILADELPHIA, PENNSYLVANIA 19108

CABLE "PEPFIL PHILADELPHIA"

215-KINGSLEY 6-1234

October 13, 1966

**Mr. Robert L. King
Assistant United States Attorney
United States Attorney's Office
Southern District of New York
United States Court House
Foley Square
New York, New York 10007**

**RE: Morton Sobell vs. United States of America
66 Civil
1328**

Dear Mr. King:

In reply to your letter of September 19, 1966 and also in connection with your request to the Philadelphia office of the Federal Bureau of Investigation I am delivering this letter to [redacted] Special Agent, together with my file copies of the following:

1. A letter from James Bennett to John Hamilton dated July 11, 1955.
2. File copy of letter from Mr. Hamilton to the Parole Board dated September 30, 1960.
3. Letter from Harry Gold to John Hamilton dated October 16, 1953.
4. Two page document in hand writing of Harry Gold listing interviews with the Federal Bureau of Investigation between May 22 and July 19, 1950.
5. Letter from Hamilton to Cornelius dated June 5, 1950.
6. Letter from Hamilton to Cornelius dated June 7, 1950.

100-37158-2402

SEARCHED	INDEXED
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October 13, 1966

7. I cannot find in my file any excerpt from a statement given to the Federal Bureau of Investigation by Harry Gold on May 22, 1950.
8. Letter from Hamilton to Cornelius dated August 9, 1950.
9. Hand-written document of Harry Gold dated June 15, 1950 and continuation dated June 16, 1950 consisting of eight pages.
10. Letter from Hamilton to the Federal Bureau of Investigation dated October 21, 1953.
11. We cannot find letter from the Federal Bureau of Investigation to Hamilton dated April 28, 1954.
12. Letter from Hamilton to Gold dated March 22, 1951 and Gold's reply dated March 24, 1951.

In addition, there are enclosed the following:

13. Two page "chronology of life" by Harry Gold dated June 28, 1950 which is item D in the Schneir affidavit of August 19, 1966.
14. Seventy-six page statement in Gold's handwriting entitled "The Early Life of Harry Gold -- A Report" dated October 23, 1950 which I believe is item F in the Schneir affidavit.
15. Twelve page statement in Gold's handwriting entitled "Money Accounting of My Espionage Work" dated December 3, 1950 which is item G in the Schneir affidavit.

The above listed documents are furnished to you to enable the government to verify the authenticity of copies of same which may be offered in evidence by counsel for Morton Sobell and you are authorized to make such use of them as may be necessary or proper to accomplish this purpose. Please do not make any other use of this material without consulting Mr. Hamilton or myself.

Very truly yours,

Augustus S. Ballard
Augustus S. Ballard

Receipt of original letter and material referred to therein is hereby acknowledged.

Special Agent, Federal Bureau of Investigation

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2405 DATE 10-4-66

CONSISTING OF 2 PAGES

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

UNITED STATES GOVERNMENT

MEMORANDUM

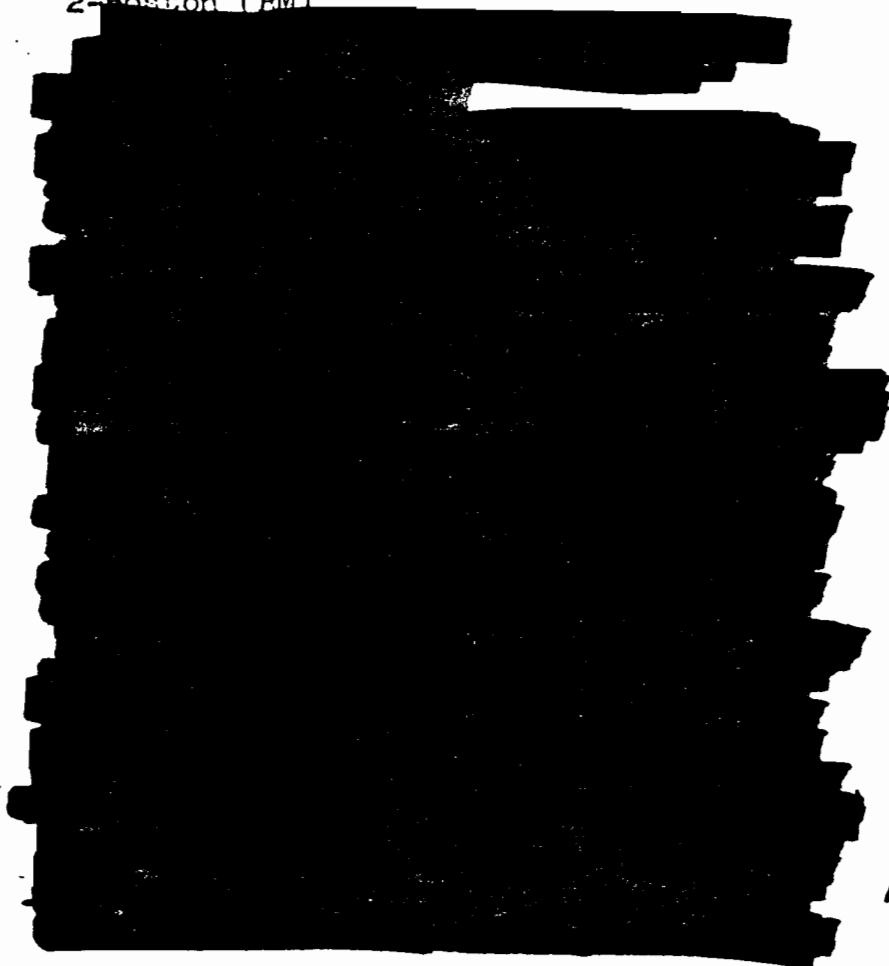
TO: SAC, BOSTON

DATE: 10/20/66

FROM: SAC, NEW YORK (100-97078)

SUBJECT: SWP, NYL
IS - SWP

2-Boston (EM)



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COPIES CONTINUED

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HAG:bca
(43) *AKL*
NIA

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FBI - NEW YORK	

1/1/67

NY 100-97078

Identity of Source

[REDACTED] who has furnished
reliable info in past (conceal)

b7d

Description of info

Militant Labor Forum, 873
Broadway, NY, NY, on 9/23/66

Date received

10/12/66

Received by

SA [REDACTED]

b7c

Original location

[REDACTED]

b7d

A copy of informant's report follows:

NY 100-97078

Report Written October 5, 1966

Militant Labor Forum
873 Broadway
New York City
September 23, 1966, 8:30 p.m. - 10:30 p.m.

About 65 persons were present (youth and middle-aged). The Chairman was CONSTANCE WEISSMAN and the speakers were WALTER and MIRIAM SCHNEIR, authors of "Invitation to an Inquest", who spoke on the topic, "The Latest Developments in the Rosenberg - Sobell Case."

The following were also present:



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WALTER SCHNEIR began by saying that a "special commission", such as the Women Commission, could be set up to investigate the Rosenberg case (The audience laughed at this. Of course, SCHNEIR was being facetious, implying that the Women Commission did not really solve the case of the Kennedy assassination, meaning that the same procedure would ensue in the case of the Rosenbergs). WALTER SCHNEIR further stated that we live in a time when "the President of the United States lies" (re the Gary Powers U-2 incident; re Santo Domingo; re Viet Nam).

MIRIAM SCHNEIR said that the case against the Rosenbergs was built on "forgery and perjury"; and she also stated that it is "absurd" and "fantasy" that any person could pass the secrets of the atomic bomb via "crude designs" on pieces of paper. MIRIAM SCHNEIR said it was never proved that the Rosenbergs were spies. She referred to the crime committed by the Rosenbergs as "the alleged crime." She further stated that there is no evidence of any meetings between the Rosenbergs, Gold and Greenglass, etc. since there are no photographs of such meetings and no microfilm evidence; also, per Mrs. SCHNEIR, there is no evidence of any merit certificate received by the Rosenbergs from the Soviet Union as was brought out in their trial. With reference to a "microfilm table" taken from the Rosenbergs' apartment and introduced as evidence at their trial, Mrs. SCHNEIR stated that this was "an ordinary table purchased from Macy's for \$21." She said that, after numerous appeals and their long stay in Death Row, the Rosenbergs were executed

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immediately as soon as it was seen that public opinion was mounting in their favor.

In their talk, the SCHNEIRs emphasized particularly their pending petition, in Federal District Court, for a hearing to reopen the entire case. They admitted that their whole purpose in asking for a hearing on the Sobell case in Federal District Court is so that Sobell's attorneys will be able to make use of the "subpoena" device in order to subpoena Judge KAUFMAN, Judge SAYPOL, ROY COHN, J. EDGAR HOOVER, the FBI (Federal agents in the case) and the Justice Department. The SCHNEIRs stated that if they will be successful in getting a hearing, the hearing would be a first step in order to "exonerate" the Rosenbergs and free Sobell, and the exoneration of the Rosenbergs and release of Sobell would be a great victory over the Government. Mrs. SCHNEIR feels that Judge WEINFELD, before whom the petition for a hearing now is, has a "good reputation" for being "the best Judge in the U.S. District Court." She believes that since Judge WEINFELD has no "political aspirations" (as Judge SAYPOL does, in her opinion) because of his age, he would be "fair". With reference to Judge SAYPOL, MIRIAM SCHNEIR said that his condemning speech of the Rosenbergs was "absurd" in blaming them for the Korean War and for the deaths of millions of people in the future.

WALTER and MIRIAM SCHNEIR stated that they now have "new evidence" in the Rosenberg - Sobell case which would warrant reopening the case. This "evidence" is as follows:

- (1) Evidence about the Hotel Hilton (Albuquerque, New Mexico) guest card, in the name of HARRY GOLD, (concerning a meeting there, attended by GOLD and the Rosenbergs). WALTER SCHNEIR said that this card was a "forgery" and was introduced as evidence by the FBI, although the card was not initialed on the back by the FBI agents nor stamped by the FBI; as was (stamped) the cardboard coin collection taken from the Rosenbergs' apartment by the FBI. (During the discussion

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period of the Forum, MIRIAM SCHNEIR said that although this guest card was "introduced" in the trial by the FBI and the Justice Department, it is "not known who perpetrated it" (meaning, she said, "who did the erasures" on the card and "who cut out the clerk's name" and pasted it on the card). WALTER SCHNEIR said that he and his wife got a handwriting expert, ELIZABETH MC CARTHY, to go down to the U.S. District Courthouse with a microscope, etc., to check another hotel guest card - from the Hilton Hotel in Albuquerque, New Mexico, initialed by the same clerk who initialed the HARRY GOLD card - against the photostatic copy of the HARRY GOLD card on exhibit at the U.S. District Courthouse, and the SCHNEIRS' handwriting expert said that the GOLD card is a "forgery". WALTER SCHNEIR said that the Hilton Hotel changed to a different type of (guest) card after 1950. Therefore, SCHNEIR said, the FBI either had printed a sample of the new card, or else took an old card prior to 1950, erased it, and did the forgery showing GOLD, etc. was there on June 3. WALTER SCHNEIR said that their (the SCHNEIRS') handwriting expert claims that the photostatic copy of the GOLD card indicates there had been erasures on it (meaning on the original guest card) and that although the card is dated June 3, the date stamped on the back of the card is June 4, meaning, per WALTER SCHNEIR, that the meeting never took place on June 3 and that GOLD and the ROSENBERGS were not there (at the Hilton Hotel, Albuquerque) then. SCHNEIR said their (SCHNEIRS') handwriting expert further says that the clerk's signatures on the "before 1950" and "after 1950" guest cards do not match. The SCHNEIRS' hand writing expert believes that with X-ray and infra-red equipment, the erasures on the photostatic copy of the GOLD guest card could be brought out. WALTER SCHNEIR stressed that the original Hotel Hilton (HARRY GOLD) guest card was "impounded" by the FBI as "evidence", that the FBI then made a photostatic copy of it, after making several copies to make sure the erasures would not show, and after a certain length of time, the original guest card was sent back to the Hotel Hilton for its files. WALTER SCHNEIR claimed the FBI deliberately did this, knowing full well that

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after a certain length of time the Hotel would destroy that guest card, which SCHNEIR claims the Hotel Hilton did. WALTER SCHNEIR also emphasized that "J. Edgar Hoover never throws anything away", to show that the FBI's turning over the original guest card to the Hotel was deliberate, so that it would be destroyed.

(2) Evidence of perjury on the part of HARRY GOLD - the SCHNEIRS said that the "pre-trial testimony" of HARRY GOLD, found on tapes which take 14 hours to play, clearly "contradict" his testimony at the trial. The SCHNEIRS said they obtained these tapes and transcribed them. The SCHNEIRS claim that these tapes indicate no link between the Rosenbergs, Greenglass and Gold. The SCHNEIRS described HARRY GOLD as "a psychopathic liar". They said he made an excellent witness for the prosecution because he had been questioned for "over 100 hours". In these tapes, GOLD makes reference to a "JULIUS" and a "DAVID from Pittsburgh", and it is from these references that the SCHNEIRS feel the names of JULIUS ROSENBERG and DAVID GREENGLASS were linked by the method of association.

(3) Also as new evidence, the SCHNEIRS have three affidavits by three scientists one of whom is a "Professor Morrison", to show that it was "impossible for atomic bomb secrets to be transmitted merely by a few designs written on paper, that much more would have to be involved as to technology, installation, etc. Mrs. SCHNEIR said that a few years ago, Dr. MORRISON wrote to her and WALTER SCHNEIR and said "he and his colleagues" had said nothing about all this at the time of the trial out of "fear" and because of the "repression" of the times then.

(The above 3 points constitute the entire "New evidence" in the SCHNEIRS' possession which they feel is sufficient to warrant re-opening the Rosenberg-Sobell case.

They attempted to be non-political in their talk, trying not to lean toward the CP nor toward the SWP insofar as questions from

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NY 100-97078

the audience were concerned. For example, when asked (by an SWP or YSA'er of SWP-YSA if the CP periphery) had instructed the Rosenbergs not to admit that they were members of the Communist Party, the SCHNEIRs appeared to hedge on the question, stating that they did not know whether the Rosenbergs were so instructed; also the SCHNEIRs said to this question was that the Rosenbergs took the Fifth Amendment. The SCHNEIRs were quick to add that no radical organization came to the Rosenbergs' defense and when a YSA'er in the audience asked if the CP had abandoned the Rosenbergs at that time, the SCHNEIRs hedged on this question also, and came back with a reply that the CP and other left-wing organizations were afraid to do anything to defend the Rosenbergs, since this was the period of "the witch-hunt" in the United States. The SCHNEIRs felt that a victory in this case: the exoneration of the Rosenbergs and the release of Sobell, would serve as an important example to the New Left.)

ADDENDA

1.

[REDACTED]

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2.

[REDACTED]

3.

[REDACTED]

b7d

4.

[REDACTED]

5.

[REDACTED]

b7d

NY 100-97078

6.

[REDACTED]

b7d

7.

[REDACTED]

b7d

8.

Also present were:

[REDACTED]

b7d

9.

It was announced at the end of the Forum that the Fifth Avenue Parade Committee wants volunteers to report at 10:00 a.m., Saturday, September 24, to 29 Park Row, to help set up its new headquarters.

10.

[REDACTED]

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FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2407 DATE 10-20-66

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is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2409 DATE 10-25-66

CONSISTING OF 8 PAGES

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under (b)(1) as it has been classified pursuant
to Executive Order 11652 as it contains
information which would disclose an intelligence
source. This serial bears the Classification
Officers number 2040.

DNK:ELH
114063

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MORTON SOBELL,

Petitioner,

-v-

UNITED STATES OF AMERICA,

Respondent.

66 Civ. 1328

MEMORANDUM OF THE UNITED STATES
OF AMERICA CONCERNING PRE-TRIAL
STATEMENTS OF HARRY GOLD TO HIS
ATTORNEYS.

Preliminary Statement

At the oral argument of the above-captioned motion of petitioner Morton Sobell to set aside his sentence and judgment of conviction pursuant to 28 U.S.C. §2255, petitioner belatedly offered for consideration in support of his motion certain recordings of oral statements of Harry Gold to his attorneys, John D.M. Hamilton and Augustus S. Ballard, made on

100-37158-2410

*Furnished 10/17/66
by AUSA R.L. King
SDNY: JH*

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SERIALIZED _____	FILED _____
FBI - NEW YORK	

June 6, 8, 14, 23 and August 9, 1950. It is petitioner's contention that these pre-trial statements demonstrate (1) that Harry Gold perjured himself when he testified at the March, 1951 trial of petitioner and his co-defendants, Julius and Ethel Rosenberg, that he met with David and Ruth Greenglass in Albuquerque, New Mexico on June 3, 1945, and (2) that the Government knowingly used this perjured testimony. (Amended Petition, August 22, 1966, 4464-66, 81, 83-87).

As properly authenticated transcripts of the Gold recordings were not prepared until after the oral argument of the motion on September 12, 1966,* the Government had no occasion at that time to discuss their applicability to the allegations of the instant motion. This memorandum is submitted, therefore, to show that the Gold recordings, to the extent they are pertinent to the pending motion, serve only to corroborate the voracity of Gold's testimony concerning his meetings in Albuquerque with the Greenglasses on June 3, 1945.

* The transcripts now before the Court were corrected and authenticated by the Government by reference to the original recordings, which were made available for this purpose by Mr. Gold's attorneys on September 15, 1966.

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STATEMENT OF FACTS

On June 1, 1950, John D.M. Hamilton and Augustus S. Ballard, members of the Philadelphia bar, agreed to serve as court-appointed counsel for Harry Gold in connection with charges then pending against him (T.(1) 3-6).^{*} Gold informed his attorneys on that same day that it was his intention to enter a guilty plea with respect to those charges (T.(1) 6).

On June 6, 1950, Gold's attorneys commenced a series of recorded interviews of Gold at Holmesburg County Prison, where Gold was incarcerated (T.(1) 12). Their first concern was that Gold understood the charges then pending against him (T.(1) 12-13). With knowledge of the contents of the complaint filed against him, and the statute on which it was based, Gold reiterated his intention to plead guilty (T.(1) 13). In view of

* References with the prefix "T" are to the transcripts of the aforesaid Gold recordings; the number in parenthesis following the "T." refers to the reel of tape from which the transcript was taken; references with the prefix "R." are to the stenographic transcript of the trial.

RLK:Flh
114868

Gold's determination, Mr. Hamilton informed Gold that he would then direct his efforts toward demonstrating to the sentencing court that Gold's offense did not involve an intent to injure the United States and toward bringing forth "any other ameliorating circumstances . . . that might affect the judge in fixing your sentence" (T.(1) 15).

Mr. Hamilton then set the pattern for the subsequent recordings by delineating three areas of discussion which he felt were important to a plea for leniency in sentence: (1) Gold's general background and life, including family, education and work, apart from the offenses charged against him; (2) information about the offenses themselves; and (3) Gold's motives in committing these offenses (T.(1) 17).

By and large, the subsequent recordings followed this pattern. The discussion of Gold's life apart from the charges against him begins on page 18 of the transcript of Reel 1 and continues to page 16 of the transcript of side 2 of Reel 2, and encompasses the remainder of the

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interview of June 6, 1950 and the beginning of a second interview which took place on June 8, 1950. Gold then began a chronological account of the facts underlying the charges pending against him, which consumed the remainder of the June 8 interview, all of the third interview which took place on June 14, 1950, and a portion of the next interview on June 23, 1950, terminating on page 41 of the transcript of Reel 6. Discussion of the third topic, Gold's motives which prompted him to commit the offenses, completed the June 23, 1950 interview, and terminates on page 66 of Reel 6.

The remainder of the transcripts relate to an interview of Gold on August 9, 1950, which is divided between a discussion of (1) matters which Gold had either concealed or deliberately lied about in his earlier interviews; and (2) matters which he then wished to relate based upon subsequent recollection.

The only portions of the transcripts having a direct relation to the instant motion are those in which Gold relates his recollection of the circumstances of his June 3, 1945 meetings with the Greenglasses and his Soviet contacts prior to and subsequent to these meetings. The first specific reference to this matter appears at the beginning of the June 14, 1950 interview, on pages 45-55 of Reel 4 of the transcripts. There, in recounting his first visit to Santa Fe, New Mexico on the first Saturday in June, 1945, to obtain atomic information from Klaus Fuchs, Gold makes several cursory mentions of an additional visit to a "GI" in Albuquerque, New Mexico, for a similar purpose. Stating that "this matter I believe had best be told separately" from his account of his activities with Fuchs, Gold said "this will be taken up further" (T.(4) 46). Gold explained later in the same interview that he would take up the matter of the GI "once we have completely finished the matter of Klaus Fuchs" (T.(4) 74). He did so on pages

RLK:flh
114868

35 through 44 of Reel 5 of the transcripts, which also form part of the June 14, 1950 interview. No additional information concerning these June 3, 1945 meetings is given in Gold's later recordings of June 23 and August 9, 1950.

In point of time, Gold's account to his attorneys of his June 3, 1945 meetings with Greenglass preceded by a day the arrest or interview of David Greenglass. Greenglass was first interviewed by the FBI concerning these meetings in Albuquerque sometime after 2 P.M. on June 15, 1950 (R. 759, 806-07).*

Moreover, the material submitted by Gold to his attorneys discloses that Gold told the FBI of the Greenglass incident two weeks prior to Greenglass's interview of June 15, 1950. On June 1, 1950, when Gold met his attorneys for the first time and was advised by them of the importance of complete disclosure, Gold told FBI Agent T. Scott Miller, Jr

* David Greenglass testified that he had one prior interview with the FBI in February, 1950, but that he wasn't asked anything/espionage on this occasion (R. 801-05).

RKL:flh
114858

of the Greenglass incident. See T.(1) 8 and Gold's Report of October 11, 1950, reproduced in Senate Internal Security Subcommittee Hearings on the Scope of Soviet Activity in the United States, 84th Cong., 2d Sess., Part 20, p. 1058 at p. 1035 (April 26, 1956). The sequential and chronological organization of Gold's recorded interviews with his attorneys, indicated above, accounts for Gold's delay until June 14, 1950, in recounting the Greenglass meetings to his attorneys.

GOLD'S RECORDED ACCOUNT OF HIS JUNE 3,
1945 MEETINGS WITH THE GREENGLASSES

In his recorded statements to his attorneys, Harry Gold gave in substance the following information concerning his meetings with the Greenglasses on June 3, 1945 and related events.*

* Compare Gold's trial testimony, which is summarized on pages 23-25 of the Government's memorandum, filed September 3, 1966, in opposition to the amended petition.

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Gold's espionage activities for the Soviet Union commenced in early 1935 when he discussed with Thomas Black, a Communist agent, the turning over of technical information belonging to Gold's employer, the Pennsylvania Sugar Company, and to its subsidiary, to the Soviets (T.(2) Side 2, pp. 18-19). His association with Black and his contact with various Soviet agents continued all the way up until the time of Gold's arrest in May, 1950. (See T(6) 12-15; T(7) 25-36.)

In February or March of 1944, Gold's then Soviet contact Sam (Semen Semenov) turned him over to a new Soviet contact John (Anatoli Yakovlev) (T.(4) 15-21). Gold's espionage association with John continued until December of 1946 (T.(5) 27, 45-53; T.(7) 24-25). Gold had meetings with Klaus Fuchs in New York commencing in February, 1944 and continuing until July or early August, 1944, and in Cambridge, Massachusetts in early January, 1945, and secured from Fuchs at these meetings information which he gave or reported to John (T.(4) 9-27, 39-43).

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At the January, 1945 meeting, Fuchs and Gold arranged a further meeting on a Saturday in early June, 1945 in Santa Fe, New Mexico (T.(4) 42,49).

Just prior to his trip to Santa Fe in June, 1945, Gold met with John at a bar at Third Avenue in the neighborhood of 42nd Street in New York City (T.(4) 45). The purpose of this meeting was that John wanted to make certain that Gold was going to keep his June, 1945, appointment with Fuchs in Santa Fe, and wanted to make arrangements for meeting Gold upon his return (T.(4) 45-46). However, this meeting had an additional purpose -- John instructed Gold that on this trip he was to pick up information from another person in addition to Fuchs (T.(4) 46; T.(5) 35). He told Gold that this other person lived in Albuquerque, New Mexico, and gave Gold the man's name and his address there, saying that it was possible that this man might not be home and, if so, his wife would have the information. (T.(4) 53; T.(5) 35-36). Gold was also given a recognition sign,

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". . . and while this is not the exact recognition sign, I believe that it involved the name of a man and was something on the order of 'Bob sent me' or 'Benny sent me' or 'John sent me' or something like that."
(T.(5) 40).

John also gave Gold \$500 to deliver to this man for expenses (T.(5) 36).

In the afternoon of the first Saturday in June, 1945 (June 2), Gold met Fuchs briefly in Santa Fe, New Mexico (T.(4) 47-52). He then took a bus to Albuquerque, arriving in the early evening. After an unsuccessful attempt to secure a hotel room, he went to the address John had given him, where an old man told him that the family he was looking for was not home and had gone out for the evening (T.(4) 53; T.(5) 36-38). At about midnight or one o'clock in the morning, Gold found a home which had been converted into a temporary rooming house, where he spent the night (T.(4) 53-54; T.(5) 39).*

* At the trial Gold testified that on this night "I finally managed to obtain a room in a hallway of a rooming house and then on Sunday morning I registered at the Hotel Hilton." (R. 119!)

The following morning he returned to the designated address, this time finding the man and his wife at home (T.(4) 54; T.(5) 38-39). He was surprised to find that the man was a GI, as he had not expected to meet a soldier (T.(5) 39). Using his recognition sign, Gold was able to establish his identity to the GI's satisfaction (T.(5) 40).

"I know that I did not use my name, that I possibly used the name of Mr. Frank, possibly Raymond Frank, possibly Frank Martin. But I know that I did not use my name." (Ibid.)

A further meeting with the GI in the afternoon was required to secure the information (T.(4) 54; T(5) 39-41). During these meetings, there was talk of the difficulty of getting Jewish food in Albuquerque, of food packages from the man's or his wife's family, of the man's expectation of a furlough about Christmas of 1945.

". . . and he (the GI) gave me (Gold) the name or -- and the address, or much more likely, just the name and the telephone number of, I think, his father-in-law or possibly an uncle of his who lived somewhere in the Bronx of New York." (T.(5) 39-41).

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The GI also gave Gold an envelope containing several sheets, mostly typewritten but possibly handwritten, and one very small rough sketch (T.(5) 41-42). Gold gave the GI an envelope containing the \$500 given him by John, which the GI accepted after indicating he needed money to keep his wife in Albuquerque (T.(5) 42).

Gold rushed back to New York so as to keep a meeting with John in Brooklyn at the place where Metropolitan Avenue runs from Brooklyn into Queens (T.(4) 54). This meeting was very brief, possibly taking only a minute or so, and involved the transfer of the information to John and possibly arrangements for a meeting some weeks later (T.(4) 54-55).

"I turned the information over to John. John never mentioned anything about it, and on the one occasion when I did mention this man sometime in the late fall of 1945, John had said that we can forget all about him, that there wasn't much point in getting in touch with him. And I got from the manner in which he made the remark that apparently the information received had not been

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of very much consequence at all and that they believed that the risk attendant upon seeing him did not make any such effort worthwhile." (T.(5) 42-43).

In these recordings, Gold also recounts his September, 1945 visit with Fuchs and several additional meetings with John (T.(4) 56-73; T.(5) 20-27, 42-43, 46-53).

ARGUMENT

THE GOLD RECORDINGS CORROBORATE
THE TRUTHFULNESS OF GOLD'S TESTIMONY
-- THEY AFFORD NO BASES FOR A FINDING
EITHER OF PERJURY OR OF KNOWING USE
THEREOF.

It is apparent from the foregoing that on June 14, 1950, prior to David Greenglass's arrest or interview, Gold gave to his attorneys an account of his June 3, 1945 meetings which was substantially in accord with his trial testimony. He pinpointed these meetings to the very date; and he related times, places and conversations with substantial accuracy. Undoubtedly there are omissions and minor discrepancies from his

trial testimony in this account, but by far its most striking feature is its substantial completeness less than a month after Gold's arrest and only two weeks after he first disclosed this incident to the FBI.

Not only do these recordings corroborate the truthfulness of Gold's testimony, but they also to some extent corroborate the authenticity of the June 3, 1945 Hotel Hilton registration card. In describing his successful attempt to direct the FBI to the exact location of the GI's apartment, Gold relates:

"I have gone over and I have drawn a map of the area as well as I know. I have looked at maps of Albuquerque. I have looked at dozens of books of motion pictures, starting with the Hilton Hotel and going all the way past undoubtedly the street where this GI lived."
(T. (S) 48; emphasis added.)

One may well ask -- why start at the Hilton Hotel, unless that is where Gold started when he went to the apartment? Moreover, the following additional facts related by Gold also corroborate the authenticity of the registration card: (1) the fixing of the Greenglass meetings on the

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day following the first Saturday in June, 1945 (i.e., Sunday, June 3, 1945, the date handwritten on the card); (2) Gold's statement that he used his own name in connection with the hotel registry and made little effort at concealment on his trips to the Southwest (T.(4) 73); (3) the correctness of the Kindred Street address which appears on the card (T.(1) 7; 9; T.(4) 77); and (4) his employment at the firm of Terry & Siebert, the firm listed on the card (T.(4) 75; T.(5) 2).

Thus, now that petitioner's so-called "newly-discovered evidence" has belatedly been produced, it is apparent that that evidence can only afford an additional basis for a denial of his pending motion.

The Allegations of the Amended Petition

The amended petition claims that the Government:

"knowingly presented false and perjured evidence through the testimony of David Greenglass as well as Gold in relation to an alleged meeting between Greenglass and Gold on June 3, 1945 in Albuquerque, New Mexico.
. . . Amended Petition, 98(g)."

* Why Ruth Greenglass is not included in this allegation is unclear, since she also gave substantially similar testimony at the trial about the June 3, 1945 meetings.

The fact should not be obscured that the principal allegation of perjury in this respect is that these June 3, 1945 meetings never took place. See id at paragraphs 62, 63, 65, 70, 74, 78 and 79.

" . . . [T]he government knew that the aforesaid testimony and evidence were false, perjurious and fraudulent, in that Gold had not met with Greenglass on June 3, 1945, in Albuquerque, New Mexico. . . ." Id. at ¶63.

The verbal gymnastics and tortured reasoning by which petitioner arrives at this conclusion from recordings which show precisely the contrary will now be examined.

Petitioner alleges that Gold's foregoing account of his Greenglass meetings to his attorneys on June 14, 1950 was a "reference -- and then in only the most ephemeral way" to these alleged meetings. Amended Petition, ¶34(d). Presumably the thought behind this allegation is that Gold's account on June 14, 1950 was so devoid of facts as to cast doubt on whether the meetings in fact took place. On this aspect, the Government is satisfied to rest on the recordings themselves.

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But in apparent contradiction of the foregoing allegation, the amended petition alleges that the Gold statements to his attorneys about the Greenglass meetings "were significantly contrary to testimony given by him at the trial" (¶ 64) and were "wholly inconsistent statements substantially and vitally at variance with testimony given at the trial itself" (¶ 81). The alleged inconsistencies are set forth in paragraphs 84-86 of the amended petition.

Since these inconsistencies purportedly establish that the Gold-Greenglass meetings never occurred, one would expect them to relate to the date of these meetings, or the time thereof, or the place, or the persons present. But here not one inconsistency appears.

In fact, a careful examination of petitioner's allegations discloses that they relate to omissions in Gold's pre-trial statements, not inconsistencies. Thus it is alleged that, in his June 14, 1950 statement to

his attorneys, Gold omitted the following details of his June 3, 1945 meetings about which he testified at the trial on March 15, 1951:

1. the name of Greenglass (Amended Petition, ¶¶ 84(a) and 85(b));
2. his address (Id. at ¶¶ 84(c) and 85(b));
3. the exact recognition sign by which Gold identified himself to Greenglass (Id. at ¶¶ 84(c) and 85(c));
4. the jail box (Id. at ¶¶ 84(f) and 85(a));
5. staying at the Hilton Hotel on this June trip (Id. at ¶¶ 84(g) and 85(d)); and
6. being given the name of Julius Rosenberg or his address or phone number (Id. at ¶ 85(e)).

There are undoubtedly other equally trivial matters which petitioner could have alleged along these same lines, such as that Gold did not mention until June 16, 1950 the fact that at these meetings Greenglass gave him information on possible espionage recruits, and that Gold stated on June 14, 1950 that the Greenglass information contained only one sketch whereas he mentioned a couple of sketches in his trial testimony.

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But it is time to stop and put these allegations in context. It is true that Gold did not state Greenglass's name and address on June 14, 1950, but that very recording shows he was able through his description to direct the FBI to the very house, even though that house had been altered after 1945 to substitute a living room for a porch (T.(5) 43-44), and that he was able to identify Greenglass as the GI even though Greenglass had put on considerable weight since 1945 (T.(5) 44).^{*}

It is also true that Gold was unable on June 14, 1950 to remember the exact recognition sign "I come from Julius", but he did remember that a sign was used and he recalled correctly that it involved the name of a man and was something on the order of "[man's name] sent me" (T.(5) 40). While Gold didn't mention staying at the Hilton Hotel in his June 14, 1950 statement, he

* The caution in making a positive identification evident in this portion of the transcript certainly belies petitioner's claim that Gold's statements were contrived by his interrogators.

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did mention in that very statement that in trying to locate the Greenglass apartment he looked at films "starting with the Hilton Hotel" (T.(5) 43). And he didn't mention being given the name of Julius Rosenberg or his address or phone number, but he did mention being given the name and address, or name and phone number of the GI's "father-in-law or possibly an uncle of his who lived somewhere in the Bronx of New York" (T.(5) 41). In the context of his trial testimony, it is evident Gold in the earlier statement mistook "father-in-law" for "brother-in-law."

One other apparent inconsistency is alleged in the amended petition. This relates to Gold's pre-trial statements that Yakovlev told him or gave him the impression that the Greenglass information was unimportant or of no value as contrasted with his trial testimony that Yakovlev said the information was very

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valuable. See Amended Petition, ¶86.* The possibility never seems to have occurred to petitioner that it was Yakovlev, not Gold, who was inconsistent in this respect; i.e., that Yakovlev did in fact tell Gold some two weeks after Gold passed the Greenglass information to him on June 5, 1945, that the information was very valuable, as Gold testified

* Petitioner also tries to tie this point into his claim in the first portion of his petition that the Government attempted to mislead the jury and defense counsel about the value of Government Exhibit 8, the sketch of the cross-section of the atomic bomb. Amended Petition, ¶53. But the two should not be confused. Government's Exhibits 6 and 7 were turned over to Gold by Greenglass at the June 3, 1945 meeting, and the authenticity of these sketches was testified to by Dr. Walter S. Koski, whose scientific qualifications and veracity appear to be conceded by petitioner. See *id.* at ¶¶ 21-22.

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at the trial (R. 1201), but that "subsequently",*
"on the one occasion when I did mention this man
[Greenglass] sometime in the late Fall of 1945,"**
Yakovlev, "with intent to mislead,"** gave Gold the
impression that the information received from Greenglass
was unimportant or of no value.

It must be remembered that Gold testified
at the trial about his meeting with Yakovlev in
November, 1945, at which time he raised with Yakovlev
the suggestion that he get in touch with Greenglass'
brother-in-law Julius since Christmas was approaching
and Greenglass had mentioned in June that he might
be coming to New York on furlough and could be reached
through Julius at that time. Yakovlev's response was
to firmly discourage this contact. (R. 1214-15.) When

* Senate Internal Security Subcommittee Hearings on
the Scope of Soviet Activity in the United States,
84th Cong., 2d Sess., Part 20, p. 1053 at 1055 (April
26, 1956).

** T.(5) 42-43.

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this testimony is compared with Gold's pre-trial statement to his attorneys about the meeting in the late Fall of 1945 (T.(5) 42-43), the inference is compelling that it was at this November meeting that Yakovlev gave Gold the impression that the information previously obtained from Greenglass was valueless, in an apparent effort to discourage Gold from contacting Greenglass through Rosenberg.*

Thus, Gold's statement to his attorneys on June 14, 1950 that after he turned the Greenglass information over to John (Yakovlev), "John never mentioned anything about it" apart from this one occasion in the late Fall of 1945 (T.(5) 42-43) again involves a failure of recollection (i.e., of the discussion with Yakovlev two weeks after June 5, 1945; R. 1201) and not a direct contradiction.

* In view of the caution exercised by these espionage conspirators to insure that each courier knew only the names and addresses of his sources of information but not of his superiors or fellow couriers (see, e.g., T. 1121), it is apparent that Greenglass had blundered in June, 1945, in giving Julius Rosenberg's name and phone number to Gold.

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The Recordings Show Neither Perjury Nor Knowing
Use Thereof

Petitioner's argument that these recordings show perjury and knowing use thereof involves a number of premises, all of which are faulty.

First: It assumes that what Gold told his attorneys was word-for-word identical to what he told the FBI. While Hamilton asked Gold to tell him about the facts underlying the charges "that you have given the FBI, as near as you can" (T.(1) 17; see also T.(2) Side 2, p. 16), to assume that Gold did so down to the very last detail is to engage in fantasy. The FBI and Gold's attorneys were motivated in their questioning by two different purposes; the FBI, to root out each participant and transaction in the espionage scheme; and Gold's attorneys, to lay the foundation for a leniency plea. Gold's log for the period May 22, 1950 to July 19, 1950, showing approximately 162 hours spent with the FBI over that period in comparison with 10 or 12 hours of interviews with his attorneys, is illustrative of the

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depth and thoroughness of the FBI investigation. Obviously Gold could not account for a recall of these interviews to his attorneys even had they been interested in going into these matters in great depth.* Conversely, it is also entirely possible Gold told his attorneys matters which he did not tell the FBI.

Second: The premise that the details of the June 3, 1945 meetings testified to at the trial by Gold but not included in his June 14, 1950 interview with his attorneys are attributable to contrivance by the Government, rather than to refreshed recollection in the nine-month period which elapsed before trial, has not one shred of evidence to support it. Petitioner cannot substitute his conclusions, which abound, for proof in this respect. The fact that the other two parties to the June 3, 1945 meetings, David and Ruth Greenglass, became

* See Senate Internal Security Subcommittee Hearings, supra at p. 1087, where in a report dated October 11, 1950, Gold stated that the details of his crimes had been "told with the most meticulous thoroughness to the FBI and, in somewhat less exhaustive detail, to my counsel."

cooperating witnesses after June 14, 1950, would of itself provide a fertile field for searching Gold's recollection of these meetings. Unless we are to indulge with petitioner in presumptions of fraud rather than in presumptions of regularity, his allegations of subornation of perjury must be rejected.

Third: Petitioner does not even begin to meet his burden of showing that Gold gave material perjured testimony against him and that it was knowingly and intentionally used by the prosecution. Neither perjury nor knowing use thereof is shown by pointing to the trivial inconsistencies between Gold's early statements and his trial testimony. See the cases cited at pages 77-79 of the Government's memorandum of law, filed September 3, 1966. Particularly is that true because the alleged discrepancies consist of matters of omission in a statement given less than a month after Gold's arrest and nine months prior to his trial testimony.

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Fourth: The means were available to petitioner at trial to cross-examine Gold concerning prior inconsistent statements and to lay a foundation for a demand for production of his pre-trial statements to Government agents. See pages 79-81 of the Government's aforesaid memorandum of law. Rather than pursue this course, defense counsel did not cross-examine and conceded the veracity of Gold's testimony.

CONCLUSION

Now that Gold's pre-trial statements to his attorneys have been removed from the realm of conclusory allegations in the amended petition and produced in authenticated form, it is evident that they provide no support for petitioner's request for a hearing on his charges of knowing use of perjured

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testimony of Gold in connection with the occurrence
of the June 3, 1945 bombings in Albuquerque, New
Mexico.

Respectfully submitted,

ROBERT M. MORGENTHAU
United States Attorney for the
Southern District of New York
Attorney for the United States
of America

ROBERT L. KING
STEPHEN F. WILLIAMS
Assistant United States Attorneys

Of Counsel.

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2411 DATE 9/66

CONSISTING OF 1 PAGES

is exempt from disclosure, in its entirety, under (b)(7)(D) as information contained in this serial would identify an informant to whom an expressed promise of confidentiality has been given. This information includes dates and places of meetings which were attended by a limited number of people known to the informant and/or information from these meetings and situations in which an informant was in close contact with members of these organizations, disclosure of which would reveal his identity.

SAC, CHICAGO (100-25530)

10/24/66

SA [REDACTED]

b7c

CHICAGO SOBELL COMMITTEE
IS - C

[REDACTED]

[REDACTED] THIS account is maintained at the Amalgamated Trust and Savings Bank, 111 South Dearborn Street, Chicago, Illinois. It should be noted that when using this information, a statement should be made that this information is not to be made public without the issuance of subpoena duces tecum directed to [REDACTED] of the bank. The original report is filed in [REDACTED] b7c,d

A photostat of the information furnished is attached to the copies of this memorandum with the exception of the [REDACTED] file. b7d

- 1 - New York (Encl. 1) (RM)
- 1 - 100- [REDACTED] (COMMITTEE TO FREE M. SOBELL)
- 2 - Chicago
- 1 - [REDACTED]

b7d

Morton Sobell

AD:lms:mac
(3)

100-37157-2412

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
OCT 26 1966	
FBI - NEW YORK	

b7c

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, LOS ANGELES (100-41648)

DATE: 10/10/66

FROM : SA [REDACTED]

b7c

SUBJECT: LOS ANGELES COMMITTEE TO
FREE MORTON SOBELL
IS - C

SOURCE	ACTIVITY	RECEIVED	AGENT	LOCATION
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[REDACTED]	Fund raising Party	9/26/66	IC [REDACTED]	[REDACTED]
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b7d
b7c

Informant is not personally contacted by Agent personnel [REDACTED]. All problems of identity, therefore, must be resolved through contact with [REDACTED]

b7d

ACTION:

All necessary action in connection with this memo has been taken by the writer.

INDEX:

[REDACTED] b7c,d

CC:

- 1 - New York (REGISTERED) ✓
- 100- [REDACTED] (MORTON SOBELL)

b7d,c

65-5082 (MORTON SOBELL)

RHB/tjs

(6)

Read by _____

100-37158-2413

SEARCHED _____	INDEXED _____
SERIALIZED _____	FILED _____
OCT 11 1966	
FBI - NEW YORK	

Doney

SEPTEMBER 10, 1966

ACTIVITY: A Fund Raising party to raise funds to free MORTON SOBELL. Sponsored by the LOS ANGELES COMMITTEE to FREE MORTON SOBELL.

DATE : SEPTEMBER 10, 1966 - 8:30PM.

PLACE : 970 S. St. Andrews Place, Los Angeles, Calif.

ATTENDANCE: Approx. 80 persons. Among those present and identified were the following:

SPEAKER : Mrs. MADELEINE (or MARIAN) SIMON.

MORTON SOBELL is presently being held by the federal authorities for his alleged involvement with JULIUS and ETHEL ROSENBERG in the now famous case revolving around the atomic secrets given to the Russians. An evaluation and examination of the case was given by MADELEINE (or MARIAN) SIMON.

MADELEINE (or MARIAN) SIMON is described as female, approx. 55 years of age, 5' 3", 135 lbs., graying hair. She stated she was the wife of a Los Angeles Attorney.

Mrs. SIMON in her comments about the MORTON SOBELL case brought up various facts, figures, times and dates. Most of her comments were centered around a new book that is now being sold in regard to the MORTON SOBELL case. This book is entitled, "INVITATION TO AN INQUEST." During her comments she referred to this book many times and asked all persons interested in the case to read the book and judge for themselves whether the United States government had in fact held an inquisition similar to those held in the Spanish inquisitions regarding the MORTON SOBELL and JULIUS and ETHEL ROSENBERG.

One of the key issues involved in the reopening of the MORTON SOBELL case centered itself around a sketch that was entered as testimony during the SOBELL trial. This sketch supposedly was given to Russian Agents giving vital information on the production of atomic bombs. SOBELL's attorneys are ready, willing and able to use scientists who have stated that the diagram itself is so vague and ambiguous that it could not possibly have given the Russians any information about the atomic bomb. They stated that most of the data is vague in its general aspects and did not lead to any scientific conclusions.

However, the attorneys for the federal government stated that this sketch inquisitions was in fact most vital and informative to the Soviets at that time.

SEPT. 10, 1966

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[REDACTED]
(The Fund-raising Party
(L.A. Comm. to Free Morton Sobell).

During her presentation Mrs. SIMON referred many times to ROY COHN who was one of the attorneys who prosecuted, and also Judge KAUFFMAN. She stated that the reputations of COHN and KAUFFMAN were well known and are well known today. Thus, implying that COHN and KAUFFMAN were prejudiced in the handling of the case.

During her final statements Mrs. SIMON stated that in the book, "INVITATION TO AN INQUEST" there is an open challenge to ROY COHN and JUDGE KAUFFMAN and others to refute the conclusions drawn by "INVITATION TO AN INQUEST." The author has openly stated that he is open for libel suits by COHN and KAUFFMAN but will welcome these suits in order to bring all the facts of the case into the open.

Mrs. SIMON also gave her comments and views on what MORTON SOBELL was doing during the time the case broke in 1950. Her version is that MORTON SOBELL was merely taking a long needed vacation to Mexico. During this time he had written several letters to close associates signing his name as MORTON SALT, MORTON SOBELL and other names which were not his own. However, Mrs. SIMON stated that he was merely doing this as a joke with his other friends. His trip to Mexico, thus concluded Mrs. SIMON, was merely a long needed vacation which he had not taken for many years. It had nothing whatsoever to do about trying to escape possible prosecution by the federal government. Thus, SOBELL's attorneys in considering all evidence, and especially the sketch in question, have demanded a hearing to be held on the SOBELL case. This hearing will take place in the courthouse in Manhattan's Foley Square where the SOBELL trial was held in 1951.

Interested persons were asked to contribute whatever possible to aid in the legal expenses to be incurred to help free MORTON SOBELL.

After Mrs. SIMON'S' comments were completed there was a break for refreshments which was followed by a short question and answer period.

+++

LITERATURE ENCLOSED: (Handed out at the above party).

EXHIBIT #1 : LETTER: L.A. COMMITTEE TO FREE MORTON
(Circl) SOBELL, P.O. Box 74474, Los
Angeles, Calif. - 90004. Dated:
Sept. 8, 1966- with enclosure: Excerpts
from New York Times of Tuesday, 8-23-56.
Art: "2 Scientists Denounce Evidence
Against Sobell" - reprinted by the LACFMS
as a public service.

APPENDIX

COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL

A source advised on May 3, 1966, that the Los Angeles Sobell Committee is the Los Angeles, California affiliate of captioned organization.

"Following the execution of atomic spies ETHEL and JULIUS ROSENBERG in June, 1953, the "Communist campaign assumed a different emphasis. Its major effort centered upon MORTON SOBELL", the ROSENBERGS' codefendant. The National Committee to Secure Justice in the Rosenberg Case, a Communist front which had been conducting the campaign in the United States, - was reconstituted as the National Rosenberg Sobell Committee at a conference in Chicago in October, 1953, and then as the National Committee to Secure Justice for Morton Sobell in the Rosenberg Case."

("Guide to Subversive Organizations and Publications" dated December 1, 1961, issued by the House Committee on Un-American Activities, Page 116.)

In September, 1954, the name "National Committee to Secure Justice for Morton Sobell" appeared on literature issued by the Committee. In March, 1955, the current name, "Committee to Secure Justice for Morton Sobell", first appeared on literature issued by the Committee.

The above source advised on May 3, 1966, that literature relating to the Committee to Secure Justice for Morton Sobell bears the current address of the Committee as 150-5th Avenue, New York City, New York.

TO: SAC (100-97078) (44) DATE: 10/28/66
FROM: SA [REDACTED] b7c
SUBJECT: SOCIALIST WORKERS PARTY - NEW YORK LOCAL
IS - SWP

b7c

Date received 10/12/66	Received from (name or symbol number) [REDACTED] b7d	Received by [REDACTED] b7c
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Method of delivery (check appropriate blocks)
 in person by telephone by mail orally recording device written by Informant

If orally furnished and reduced to writing by Agent:-
Date _____
Dictated _____ to _____
Transcribed _____
Authenticated by Informant _____

Date of Report Exhibit
Date(s) of activity Current

Brief description of activity or material
NYL-SWP City letter, dated 9/20/66

File where original is located if not attached
NY 100-97078-6473

Remarks:

Informant furnished a copy of the above described letter, a Xerox copy of which is attached hereto;

- 1 - New York [REDACTED]
- 1 - New York (100-156835) (5TH AVE PEACE PARADE) (41)
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York (100-37158) (MORRIS SOBEN) (33)
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]
- 1 - New York [REDACTED]

b7c,d

100-37158-2414

Block Stamp

Searched	Indexed
Serialized	Filed
OCT 28, 1966	
FBI - NEW YORK	

HAG:jaw
(18)

[REDACTED] 331

XERO COPY XERO COPY XERO COPY
New York City Letter September 20, 1966

BRANCH MEETING

There will be a report on the Parade Committee Meeting and New Yorks plans for November 5 - 8.

The discussion on the Independent Campaigns will be continued during the educational period.

BALLOT STATUS

The petitions were filed in Albany on the first day. Judy's picture leaning on the 19, 500 signatures appeared in Saturday's New York Post. We will know Thrusday whether we have been challenged.

ELECTION FUND

There are a few comrades still behind in payments on their election fund. Please see Melissa this week.

FORUM

Walter Schneir will be the guest speaker this week, on the topic "The Latest Developments in the Rosenberg-Sobell Case"

Forum Assignments

Coffee: Melissa

Door: Dick R.

Cleanup: Feter B

Literature: Wendy

HEADQUARTERS CLEANUP

Friday September 23

Mens Room - Barry

Ladies Room - Bea

Kitchen- Caroline

Forum Hall - Paul E.

Tuesday September 27

Mens Room - Ellis

Ladies Room - Mary Alice

Kitchen- Hedda

Forum Hall - Will

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2416 DATE 11-8-66

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SAC (100-109849)

11/15/66

SUPV. ARNOLD E. BRANDT (#33)

HELEN SOBELL
SM - C

Captioned subject has been under investigation for a number of years, principally in connection with her activities on behalf of the Committee to Secure Justice for MORTON SOBELL. MORTON SOBELL is her husband and is presently serving a prison term, having been convicted of espionage a number of years ago.

The case on MORTON SOBELL is presently pending and being handled on Section 331.

Investigation in that case concerns itself primarily with the efforts of SOBELL and his attorneys to secure a new hearing of his case before the Courts.

Since the captioned case carries an SM-C character and since the subject's principal activity is in connection with the Committee to Secure Justice for MORTON SOBELL, which is under investigation on Division IV as a front group, it is recommended that this case be also handled on Division IV.

1 - 100-37158 (MORTON SOBELL)
1 - 100-107111 (COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL)

AEB:eah
(3)

100-37158-2417

SEARCHED	INDEXED
SERIALIZED	FILED
NOV 15 1966	
FBI - NEW YORK	

22/11/2 b7c

FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2418 DATE 11-1-66

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FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2419 DATE 11-22-66

CONSISTING OF 7 PAGES

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FILE # 100-37158

SUBJECT MORTON SOBELL

SERIAL 2420 DATE 10-14-66

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Remarks:

see leaflet and news paper reprint attached.

3) NEW YORK [REDACTED] b1
✓ (MORTON SOBELL)
(SOBELL COMMITTEE)

2- WFO (CHARLIE GIFT) RM
(ORGANIZATION)

BALTIMORE [REDACTED] b1
100-22826 NEBS
100-11640 ORGANIZATION
100-15241 SOBELL COMMITTEE

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100-37158-2420

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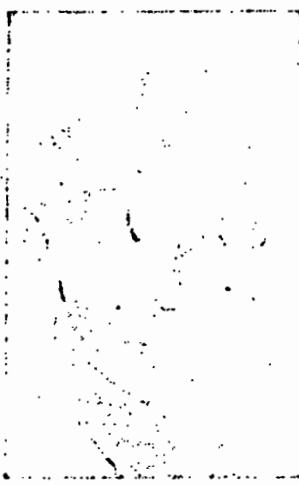
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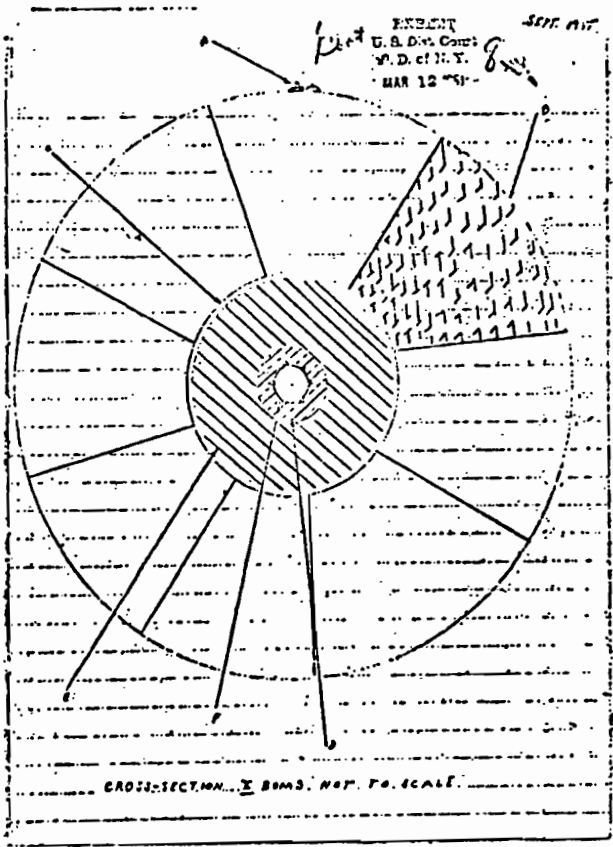
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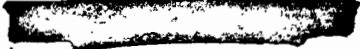
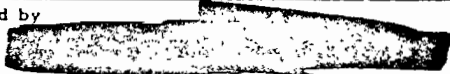
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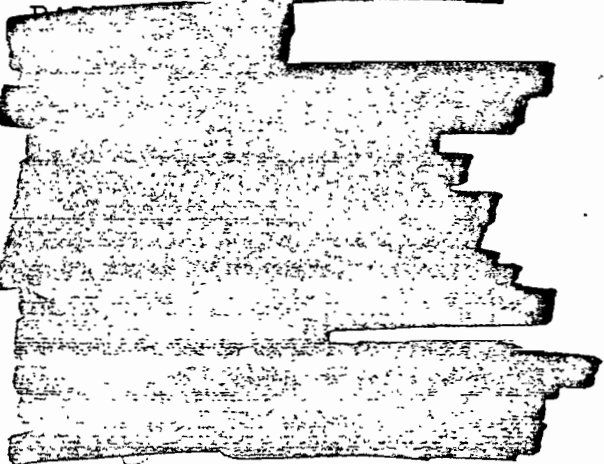
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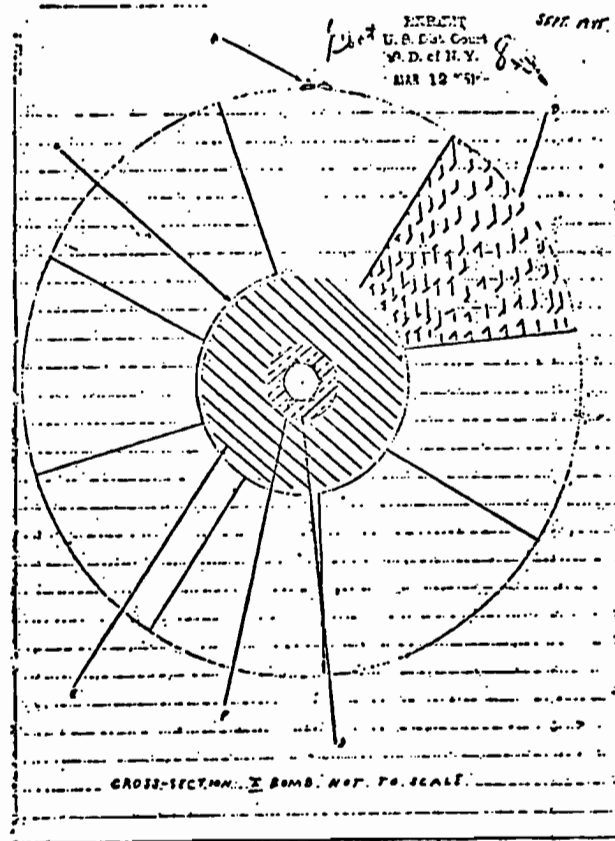
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Sponsored by NEBS

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DEC 9 1966	
FBI - NEW YORK	

ASB:ald
(27)

October 1966
Baltimore, Maryland

Thursday evening, October 13, Walter Schneir spoke to an audience of approximately 65 people, at the Crystal Ballroom, 21 E North Avenue, about the people--Julius and Ethel Rosenberg and Morton Sobell--who were convicted about fifteen years ago on a charge of being Russian spies. Robert Lee spoke first, briefly, then Harold Buchanan spoke, introducing Schneir. Schneir said he had studied all the evidence in the Rosenberg Sobell trials, and was convinced that Sobell was and is innocent. One point that was stressed was that a hotel registration card had two different consecutive dates on it; and that possibly someone had forged data on this card. It was acknowledged that it was not known if mistakes had been made by someone at the hotel and all the cards on one day had been misstamped and then corrected. Schneir quoted someone as saying that if the FBI had tried this forgery on the card, "they would have done a better job". Most of what Schneir said were generalities tending to create doubt in the minds of the listeners about the guilt of Sobell. Schneir also said that Sobell "can walk out of the prison any time he wishes, as a free man, by simply acknowledging that the Rosenbergs were guilty, but Sobell refuses to do this". Marian Jurkis and Lynn Allen (a tall young man who has a somewhat similar appearance to Don Backeller) had been sitting on the stage with Schneir, Lee and Buchanan, and after Schneir finished speaking, they read letters that the Rosenbergs had written to each other while they were in prison. Marian Jurkis read Ethel Rosenberg's letters, Allen read Julius' letters. The letters were appeals to the emotions, and contained nothing pertaining to facts about the guilt or innocence of the Rosenbergs.

[REDACTED]

[REDACTED]

[REDACTED]

Julia Samuels was also mentioned as being one of the officials of a Committee

[REDACTED]

b7d

o Free Morton Sobell. Those in the audience who were observed and identified,

[REDACTED]

b7d

[REDACTED]

b7d

FILE # L00-37158

SUBJECT MORTON SOBELL

SERIAL 2423 DATE 11-14-66

CONSISTING OF 3 PAGES

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SUBJECT MORTON SOBELL

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SUBJECT MORTON SOBELL

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(PUBLISHERS NEW PRESS, INC)
(CP, FUNDS)

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FBI - NEW YORK

2 [redacted]

[redacted]
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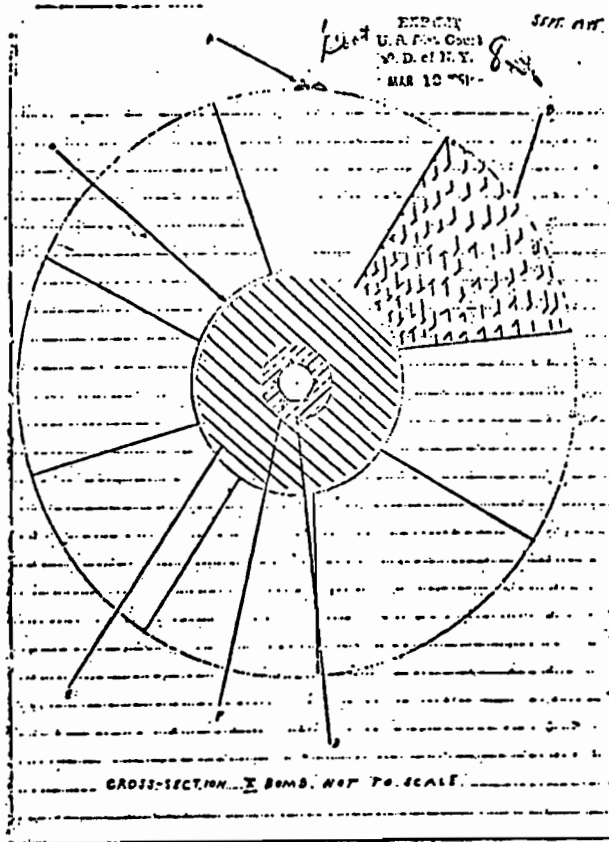
That the scientific community considered this thesis nonsensical was lost in the hysteria caused by the announcement in 1949 by President Truman that Russia had exploded an atomic device.

Now, in affidavits attached to a motion to reopen the Sobell case, Dr. Philip Morrison, a probable co-holder of the patent on the Nagasaki bomb, and Dr. Henry Linschitz, who helped put it together at Los Alamos, have directly challenged this theory, and thus attacked the crux of the Government's case.

No Foundation

Referring to Judge Kaufman's sentencing statement, Dr. Linschitz, now professor of physical chemistry at Brandeis, said: "[It] has no foundation in fact."

"It is," he added, "astonishing . . . that despite so many authoritative statements to the contrary by scientists over the past two decades, the layman still clings to the misconception that there is a 'secret' or key 'formula' for the construction of an atomic



bomb. This notion was even more obsessively held at the time of the Rosenberg-Sobell trial, even by the defense and the record shows important statements by the prosecution and presiding judge which only served to reinforce this dangerously false impression."

Rather than a single secret, construction of the atomic bomb involved, according to Dr. Linschitz, a highly complex set of technical tricks, devices and processes, combined of course with an immense and versatile industrial capability."

As to the Greenglass sketch, Dr. Morrison called it a "caricature" of the bomb and Dr. Linschitz said it was "too incomplete, ambiguous and even incorrect to be of any service or value to the Russians in shortening the time required to develop their nuclear bombs."

Still, the viewpoint expressed the other day by one U. S. newspaper is probably a common one. "The fact," the paper said, "that the document is a dud proves that the Rosenberg organization was incompetent. They did their best to hurt the United States and for that reason the Rosenbergs were executed and Morton Sobell went to jail."

While this rationale may be comforting, it is unlikely to help the Government, which has another week to answer the charges. In the first place, if documentary evidence is of no value to a foreign power there is doubt that an espionage prosecution could stand.

But more important in the context of the Rosenberg-Sobell case is the fact that the prosecution pitched the case as the crime of the century. It is thus rather late, legally speaking, to say that even if the Rosenbergs gave trash to Russia they intended to give the atomic bomb.

The major reason for this is that one simply cannot divine how much influence the sketch had on the jury, particularly since the Government produced an expert to authenticate it as a rendition of the bomb dropped on Nagasaki.

This expert John A. Derry, an electrical engineer who worked for Brig. Gen. Groves at Los Alamos, was attacked by Drs. Morrison and Linschitz both for the testimony he gave and his credentials as an atomic expert.

That the Government did not call a major atomic scientist,

such as Dr. J. Robert Oppenheimer, at the time of the always puzzled people. Oppenheimer and Dr. H. Urey were on the Government witness list which was rejected by Judge Kaufman. The Government now contends that its purposeful use of their names to intimidate the jury and give the jury the impression that the evidence was "verified and vouched for" by the prosecution.

Dark Cloud

And so, after all these years, a dark cloud hangs over the case that has always been in some quarters but never challenged by most Americans.

Was it a frame-up? A terrible mistake nurtured by the hysteria of the era?

Sobell's lawyers charge that the Government's long complaint that included more allegations than the sketch was bogus.

The complaint was based on a book, "Invitation to an Inquest," by Walter and Miriam Schneir, published last year. The book concludes that the Rosenbergs and Sobell were innocent.

Probably the most serious charge made in the book was that the Government had forged a registration card, one of its principal pieces of evidence, in Alibi critical time. The film was clear in the book. Schneirs believe the FBI admitted the forgery.

Inconsistencies

As to Harry Gold, the man who handed him a half of a tape recording he made of his conversations with his lawyer Greenglass and the Rosenbergs were arrested. He said that the tapes show inconsistencies with Gold's testimony at the trial. One of the inconsistencies was that Greenglass's home in Alibi was not in Alibi, and said "I come from Greenglass, having the other of the box, then alleged him secret information — 'cross section' but other . . ."

On the tapes, according to Schneirs, Gold did not mention Greenglass's name, said the password "Bob, or F. John sent me," and said about a Jello box.

Walter Schneir will Lecture on his book on Thursday, Oct. 13 at 8 P.M., at the Crystal Ballroom, 21 E. North Ave.

Admission: \$1.50, Students .50

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Memorandum

TO : SAC, NY (100-37158)
/ Attention: Exhibit Section

DATE: 12/21/66

FROM : SA [REDACTED]

b7c

SUBJECT: MORTON SOBELL
ESP - R

On 12/21/66, AUSA ROBERT L. KING, SDNY, advised that the motion filed by subject is USDC, SDNY, is still pending and is awaiting a decision by Judge WEINFELD. He advised that at the present time there is no indication of when a decision will be rendered in this matter.

The following items which were made available by this office to AUSA ROBERT L. KING, are presently in the possession of Judge EDWARD WEINFELD. Upon completion of the present proceedings they will be returned to this office:

1. Photostat of galley proof sheets of the book "Invitation to An Inquest" by WALTER SCHNEIR.
2. Bureau's review of the above book.
3. Book, "The Judgement of Julius and Ethel Rosenberg" by JOHN WEXLEY.
4. Senate Sub-Committee transcript of Harry Gold Hearing in 1956.
5. Book, "The Atomic Spy Hoax" by WILLIAM REUBEN.
6. Photostat of handwritten statement of HARRY GOLD, dated 7/20/50.

Upon return, item 2 should be returned to the Schneir file. Items 3,4, and 5 should be returned to the Library. Item 6 is an exhibit in NY file 65-15324-1869, and should be returned to Exhibit Section.

Above were returned by AUSA Stone Williams 12/21/66 JPK

① 100-37158
1-Exhibit Section

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(2)

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