Memorandum to Mr. Belmont Re: Morton Sobell 101-2483

of appellant's consciousness of guilt by explaining his presence at the trial which appellant appears to concede was not voluntary." Concerning the testimony of Huggins, Judge Medina said this witness did no more than testify to what he personally observed and noted in the manifest in the regular course of his official duties. Judge Medina stated it was nothing short of absurd to characterize this as willful perjury deliberately foisted on the trial court by the prosecution.

Sobell in his motion also claimed that the prosecuting attorney made a false statement to the judge during the argument on a motion made by Sobell in arrest of judgment immediately after the trial. This statement was that Sobell never went to Mexico with a visa. Sobell claims that he had a tourist card which is in effect a visa and thus the prosecutor committed a falsehood. Judge Medina states this charge completely collapses because Sobell concededly did not have a visa. Sobell also claimed that the statement of the prosecutor that he was "literally kicked out as a deportee" was a willful misrepresentation. In commenting upon this, Judge Medina states "...the expression kicked out while perhaps offensive to a refined ear, describes precisely what happened to him (Sobell) on 8-18-50."

Concerning the second basis for Sobell's motion, namely, that the court did not have jurisdiction because he was illegally abducted from Mexico, Circuit Court of Appeals relied on the case of Ker vs. Illinois which held that the power of a court to try a person for a crime is not impaired by the fact that he had been brought within the jurisdiction of the court by forcible abduction.

ACTION:

For your information.

(M)

-Olin

Th

**DECODED COPY** Belmont . Tamm Trotter Negse\_\_\_\_ Tele. Room Cablegram XXX 4.22.8 CLASSIFIED BY: DECLASSIEY ON: DECODE OF CODED MESSAGE NUMBER 463 DATED MAY 24, 1957 MEXICO CITY, MEXICO. RECEIVED VIA NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE IS-C SPEAKES RECORDED-87 EX 105

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

र्गाम्ब Assistant Attorney Genera Ri June 5, 1957 (Driginal and one) Villian F. Tompkine ALL INFORMATION CONTAINED Director, TBI MORTON SOBELL ES # IOHAGE DECLASSIEY ON nformation. 101-2483 + 2 - New York JPL:nkz, J NOTE: for New York ardman Room. MAILED 31

Date:

Transmit the following message via

SERVET

(Priority or Method of Mailing)

NY 100-37158

On 10/21/52, HAYHANEN arrived in NYC. He met MIKHAIL N. SVIRIN in the summer or autumn of 1953. He received assignments to obtain military and defense information and to run down information referred to him concerning people of interest to the Soviets. At the end of 1953 or beginning of 1954, HAYHANEN made contact with the "resident illegal agent" in NYC. The only name given HAYHANEN for the "resident illegal agent" was "MARK."

"MARK," according to HAYHANEN, has the rank of Lieutenant Colonel in the Soviet State Security Service, and in 1956, HAYHANEN was promoted to the rank of Lieutenant Colonel in this same organization.

On 5/6/57, HAYHANEN advised that "MARK" had agent, CRYPTONYM "STONE" who was convicted of espionage in 1955 or 1956 and sentenced to 30 years imprisonment. "MARK," HAYHANEN's superior, indicated that it was dangerous to attempt to contact "ROSA," the wife of "STONE."

On 5/8 and 9/57, HAYHANEN stated that "MARK" departed for Moscow during June, 1955 (or approximately that date). Just before "MARK" left the U.S., he showed HAYHANEN two photographs, one a snapshot, evidently quite "MARK" informed old, and the other a newspaper clipping. HAYHANEN at the same time that one "HELEN SOBEL or SOBELL" was the wife of the man who had been sentenced to 30 years for espionage on the basis of inconclusive evidence. "MARK" had \$5,000 which he had been instructed to give to "MARK" alleged to HAYHANEN that he had not been able to find "HELEN," either because he was unable to or because he was concerned about going to her "beauty shop" because the Federal Bureau of Investigation might have "miked" her shop. "MARK" told HAYHANEN that the shop was on Broadway but that she ("HELEN") lived on 137th or 139th Street and the shop's street number was possibly 1482, 1492, or 1494. After informing HAYHANEN of the history behind the money, "MARK" and HAYHANEN went to Bear Mountain, about 40 miles from NYC via route number 9 and buried the money



Date:

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(Priority or Method of Mailing)

NY 100-37158

"MARK" then ordered HAYHANEN to find "HELEN" during his absence and give her the money with a letter which ostensibly came from her brother and requested that "HELEN" accept the money from the bearer. HAYHANEN stated that the letter was a normal, innocuous letter to an alleged sister.

HAYHANEN stated that he was frightened by "MARK's" remarks about possible surveillance of "HELEN" and therefore he and his wife dug up the money and used it for their own purposes. HAYHANEN reported by means of secret writing deposited in a dead drop to Moscow, that he had given the \$5,000 to "HELEN." HAYHANEN further indicated that Moscow replied with a query as to how he had arranged contact with "HELEN." HAYHANEN stated that he received another message from Moscow asking him again to contact "STONE's" wife. When "MARK" returned from the USSR approximately July, 1956, HAYHANEN stated that "MARK" asked him to arrange another meeting with "HELEN" in order that "MARK" could give her personally another \$5,000 because it was thought that "HELEN" might have spent the first \$5,000 in assisting her husband's defense. HAYHANEN stated that he told "MARK" he would make this arrangement. However, he indicated that he continually stalled any such meeting with excuses that it was too dangerous to make the contact with "HELEN."

NY teletype to Bureau, dated 5/12/57, reflects that HAYHANEN stated that HELEN SOBELL resided at 306 or 308 on 137th or 138th Street, NYC, which house was located two or three houses from a corner. HAYHANEN also advised on the above date that HELEN SOBELL is supposed to have a beauty shop at 1482, 1492 or 1494 Broadway, NYC, which address is located between 139th and 142nd Streets, NYC.

Approved: \_\_\_\_\_\_ Special Agent in Charge Sent \_\_\_\_\_ M Per \_\_\_\_\_\_ O

FD-38 (Rev. 3-13-56)

FBI

Date:

Transmit the following message via .

(Priority or Method of Mailing)

NY 100-37158

NY airtel to Bureau, dated 5/13/57, indicated that HAYHANEN stated that "MARK" informed him during last half of 1956 that Moscow had wanted to know if HELEN SOBELL could be used as an agent. HAYHANEN stated that he did not know if this was a recent or old message. HAYHANEN further stated that beauty shop supposedly operated by HELEN SOBELL was not necessarily that of the wife of "STONE." HAYHANEN stated that he had located a beauty shop under name of HELEN SOBELL in the Manhattan Telephone Directory.

On 5/17/57, HAYHANEN was questioned regarding knowledge of "STONE" and "STONE's" wife "ROSA." HAYHANEN stated that he never met "STONE" nor did he know when "STONE" was arrested, but was positive arrest of "STONE" was prior to his coming to the U.S. HAYHANEN was unable to identify any photographs of MORTON SOBELL; however, he (HAYHANEN) stated that "MARK" told him that "STONE" was convicted, date uncertain, and that "STONE" was connected with the ROSENBERG case

"STONE's" wife. HAYHANEN identified a newspaper photograph of HELEN SOBELL as being identical with the photograph given him by "MARK" for HAYHANEN's assistance in location of HELEN SOBELL. HAYHANEN stated that "MARK" told him HELEN SOBELL lived on 137th or 139th Street, but that he (HAYHANEN) did not check out the above address.

Photograph of HELEN SOBELL identified by HAYHANEN was a newspaper photograph as set out in New York "Mirror," a newspaper dated August 19, 1950.

NY teletype to Bureau, dated 5/18/57, set forth information that HAYHANGN stated that "MARK" told him that "STONE" never admitted guilt but was convicted and Moscow felt assistance should be given to "STONE's" wife

Special Agent in Charge

Special Agent in Charge

Approved:

Date:

Transmit the following message via

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(Priority or Method of Mailing)

NY 100-37158

On 5/21/57, HAYHANEN advised that "STONE," a Soviet agent, was never to his knowledge under the direction of "MARK." HAYHANEN indicated that "STONE" was probably under the direction of other individuals unknown to him. HAYHANEN further stated that the \$5,000 buried at Bear Mountain by himself and "MARK" was to go to HELEN SOBELL, wife of "STONE."

HAYHANEN stated that upon the return of "MARK" from Moscow, "MARK" indicated that he had an additional \$5,000 for HELEN SOBELL. HAYHANEN advised that he was to contact HELEN SOBELL and bring her to Van Cortlandt Park, Brooklyn, where he was to introduce her to "MARK," at which time "MARK" was to turn over \$5,000 to HELEN SOBELL. HAYHANEN stated that he never contacted HELEN SOBELL and failed to follow through the aforementioned instructions of his superior, "MARK."

As the Bureau is aware, MORTON SOBELL, husband of HELEN SOBELL, was convicted with JULIUS and ETHEL ROSENBERG in the U.S. District Court, SDNY, on 3/29/51, of conspiracy to commit espionage in behalf of the Soviet Union. (U)

The ROSENBERGS were sentenced to death on 4/5/51, and MORTON SOBELL was sentenced to 30 years imprisonment on that date. JULIUS and ETHEL ROSENBERG were legally executed at Sing Sing Prison, Ossining, NY, on 6/19/53, and MORTON SOBELL is currently serving his sentence at the U.S. Penitentiary, Alcatraz, California (U)

As the Bureau is also aware, HELEN SOBELL (Bufile 100-404849) has, for the past 5 years, maintained residence at 506 W. 135th St., NY, NY, and/or 2400 Davidson Ave., in care of LOUIS SOBELL, Bronx, NY. It is to be noted that LOUIS SOBELL is the father of MORTON SOBELL. HELEN SOBELL is currently employed with the National Committee to Secure Justice for Morton Sobell, 940 Broadway, NYC, Room "D".(U)

Approved: Special Agent in Charge Sent M Per \_\_\_\_\_\_ M Per \_\_\_\_\_ 9

\*(Rev. 3-13-56)

FBI

Date:

Transmit the following message via

(Priority or Method of Mailing)

On 5/21/57, HAYHANEN stated that the name originally furnished to him by "MARK" regarding "STONE". was the Russian literal translation "STOUN."

The indices of the NYO were reviewed regarding the names "STONE" and "STOUN." No identifiable information was located indicating the use by Soviet agents for the code name "STONE."(U)

THE TO STATE OF THE MANUAL CONTROL STATE STATE AND STATES THE not recognize this photograph.

NY teletype to Bureau, dated 5/12/57, set forth leads for NYO to ascertain identities of owners of all beauty shop establishments located on Broadway, NYC, between 139th St. and 142nd Streety (1)

In view of aforementioned information regarding the identity of "STONE" and HELEN SOBELL, the NYO does not contemplate coverage of these heretofore set out leads. (6)

Inasmuch as the identity of the Unsub, wa "STONE", American known to REINO HAYHANEN as a Soviet agent has been established as that of MORTON SOBELL, all information relating to "STONE" is being consolidated into the subject's case file. Any and all additional information regarding this matter will be handled under the caption of "MORTON SOBELL, was; ESPIONAGE - R. Ye)

Approved: .

Special Agent in Charge

FBI



Date:

Transmit the following message via

(Priority or Method of Mailing)

NY 100-37158

No dissemination of any information in this case is to be made outside of the Bureau unless it is specifically authorized by the Bureau. All reports containing information received as furnished by REINO HAYHANEN are to carry the classification "Secret."

KELLY

This down med wow by famely by SA ALEKSU 114/16

SESPET

- 7 -

Approved: Special Agent in Charge

Sent\_

Per

77

SAC, New York (100-37158)

June 4, 1957

Director, FBI (101-2483)

Morton Sobeli espionage

ALL INFORMATION CONTAINED

air-tel 5-85-57 captioned, "Morton Sobell. me., Bepionage - B.

review of reair-tel reflects that in June, "Mark" told the informant he had not been able to find "Helen Sobell or Sobel" as he was either unable to do so or was concerned about her beauty shop as the FBI might have a microphone installed in that shop. "Mark" further stated the skop was located on Broadway and that Helen lived on 137th or 139th Street, New York City, and that the street number of the shop was possibly 1482, 1492 or 1494 located between 139th and 142nd Streets. Reair-tel states your office does not contemplate covering the leads previously set forth to identify the owners of beauty shops on Broadway between 139th and 142nd inasmuch as the informant has identified a photograph of Helen Sobell, wife of Morton Sobell, as the person he was to contact.

The Bureau feels these leads should be The informant should be reinterviewed concerning the address of this beauty shop since A the 1400 block of Broadway is not located between 139th and 142nd Street but is located in the vicinity of Times Square. Further, Helen Sobell did live Et 508 West 135th Street but she is now residing at -30 Charlton, New York City. You should determine exact date Helen Sobell moved to her current address. It should also be determined where the address 506. We 135th Street is located in relation to the corner 🗲 inasmuch as Hayhanen stated he thought her residence was three or four doors removed from the

The Bureau realizes Helen Sobel been employedd in the past as a beauty operator; however, it is possible she may have had a monetary COMM - FBI

Boardman Belmone Mason Mohr Parsons Rosen

REC'D BELMONT

Letter to New York Re: Morton Sobell 101-2483

interest in a beauty parlor without being actually engaged in the operation of the establishment. Therefore, you should identify the owners of the beauty parlors located on Broadway between 139th and 142nd Streets to determine if Helen Sobell had or has any interest in any of these shops.

The results of the above investigation should be submitted in the instant case.

# FEDERAL BUREAU OF INVESTIGATION

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PROPERTY OF FBI.—This report is loaned to you by the FBI, and neither it nor its co

T-1, another government agency which conducts intelligence investigations, advised on May 8, 1957, that on May 6, 1957, information was received from T-2, a defected illegal Soviet intelligence agent, that he had learned from MARK," whom he knew to be an illegal Soviet intelligence agent, that a Soviet agent in the United States, cryptonym "STONE," was convicted of espionage and sentenced to 30 years imprisonment. (S) (U) declicated 1/6/11

Information Concerning Illegal Soviet Intelligence Agents in the United States

T-2 advised T-1 on May 6, 1957, that he was recruited by the Soviet State Security Service for espionage before the Finnish-Russian War because of his fluency in both the Finnish and Russian languages. In 1939, he was an agent for the "Fourth Otdel" (believed by T-1 to refer to the illegal Section which was formerly called the Fourth Directorate), and dispatched to Karelia, Finland.

T-2 further advised that in 1948 he was assigned to the Illegal Section in Moscow where he was taught secret writing and given training in codes, use of microdots, and photography, in preparation for his mission to the United States. The Soviets provided T-2 with a false birth certificate, and on October 21, 1952, T-2 arrived in New York City. At the end of 1953, or the beginning of 1954, T-2 made contact with the "resident illegal agent" in New York named "MARK." T-2 received assignments to run down information referred to him concerning people of interest to the Soviets and to assist "MARK."

"MARK", according to T-2, had the rank of Colonel in the Soviet State Security Service, and in 1956, T-2 was promoted to the rank of Lieutenant Colonel in this same organization.

departed for Moscow during June, 1955 (or approximately that date). Just before "MARK" left the United States, he showed T-2 two photographs, one a snapshot evidently quite old, and the other a newspaper clipping "MARK" informed T-2 at the same time, that one "HELFW SOBEL or SOBELL" was the wife of the man who had been sentenced to 30 years for espionage on the basis of inconclusive evidence. "MARK" had \$5,000 which he had been instructed to give to "HELEN". "MARK" alleged to T-2 that he had not been able to find "HELEN" either because he was unable to, or because he was concerned about going to her "beauty shop" because of the ederal Bureau of Investigation (FBI).

T-2 further stated to Taken the above rates, that after "MARK" had informed him of the history behind one money, "MARK" and he went to Bear Mountain, approximately 40 miles from New York City, via Route Number 9, and buried the money. T-2 advised that "MARK" ordered him to find "HELEN" during "MARK'S" absence and give "HELEN" the money with a letter which ostensibly came from him brother and requested that "HELEN" accept the money from the informant. T-2 stated that this letter was a normal, innocuous letter to an alleged sister

HELEN SOBELL is the wife of MORTON SOBELL, who is presently serving his sentence at the United States Penitentiary, Alcatraz, California, after having been convicted in the United States District Court, Southern District of New York, on March 29, 1951, of conspiracy to commit espionage in behalf of the Soviet Union.

On May 8 and 9, 1957, T-2 advised 3-1 that he was frightened by "MARK'S" remark about possible surveillance of "HELEN" and therefore, he and his wife dug up the money and used it for their own purposes. T-2 advised that he reported by means of secret writing deposited in a dead drop to Moscow, that he had given the \$5,000 to "HELEN". T-2 advised that Moscow replied with a query as to how he had arranged contact with "HELEN". T-2 stated that he had also received another message from Moscow requesting him to again contact "STONE'S" wife. According to T-2, when "MARK" returned from the Union of Soviet Socialist Republics (USSR), approximately July, 1956, "MARK" asked him to arrange another meeting with "HELEN" in order that he, "MARK", could personally give her another \$5,000 because it was thought that "HELEN" might have spent the initial \$5,000 in assisting her husband's defense. T-2 stated that he had informed "MARK" he would make such arrangements; however, he further advised that he continuously stalled any such meeting with "MARK" with excuses that it was too dangerous to make another contact with "HELEN" (S)

On May 13, 1957, T-2 stated that "MARK" had informed him during the last half of 1956, that Moscow had wanted to know if HELEN SOBELL could be used as an agent. T-2 stated that he did not know if this was a recent or old message. T-2 further stated that the "beauty shop" supposedly operated by HELEN SOBELL was not necessarily that of the wife of "STONE"; however, he stated that at one time while attempting to locate HELEN SOBELL, he located a beauty shop under the name of HELEN SOBELL in the Manhattan Telephone Directory

T-2 advised on May 17, 1957, that he had never met "STONE" nor did he know when "STONE" was arrested; however, he indicated that he was positive arrest of "STONE" was prior to his coming to the United States.
T-2 advised that "MARK" told him that "STONE" was convicted, date uncertain, and that "STONE" was connected with the ROSENBERG case.

T-2, on May 17, 1957, identified a newspaper photograph of HELEN SOBELL as being identical with the photograph given him by "MARK" for his assistance in locating HELEN SOBELL

JULIUS and ETHEL ROSENBERG were convicted in United States District Court, Southern District of New York, on March 29, 1951, of conspiracy to commit espionage in behalf of the Soviet Union. The ROSENGERGS were sentenced to death on April 5, 1951, and were legally executed at Sing Sing Prison, Ossining, New York, on June 19, 1953.

T-2 advised on May 18, 1957, that in conversations with "MARK" he was told that "STONE" never admitted guilt, but was convicted and Moscow felt assistance should be given to "STONE'S" wife.

T-2 advised on May 21, 1957, that "STONE" was, to his knowledge, never under the direction of "MARK".

T-2 indicated that "STONE" was probably under the direction of other individuals whose identities were unknown to him.

T-2 further stated on the above date, that the \$5,000 buried at Bear Mountain by himself and "MARK" was to go to HELEN SOBELL, wife of "STONE" (U)

"STONE" or "STONE'S" wife. On May 17,1957 that he had never met "STONE" or "STONE'S" wife. On May 17, 1957 photographs of the subject were exhibited to T-2 at which time he stated that he did not know the individual pictured in said photographs

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S E C E T

## INFORMANTS

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Identity of Source	Date of Activity Or Description of Information	Date Received	Agent to whom Furnished	File # where Located
T-1 CIA, Wash., D. C.	<b>(A)</b>			100- 37158- 1834
T-2 REINO HAYHANEN	Information furnished on 5/6/57, to	(s) 61		100- 37158- 1834
$(\mathcal{W}_{\mathcal{F}})$	concerning the subjec	t		
	Information concerning subject furnished to	g	(s) <sup>b</sup> /	100- 37158- 1838
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	Information concerning subject, 5/13/57	MC W	LAWRENCE ILLIAMS EDWARD H. DY	65- 17259- 45
	Information concerning subject, 5/17/57	MOC SA	EDWARD H. DY EDWARD J. PHY	100- 37158- 1837
	Information concerning subject, 5/18/57	MOC SA	EDWARD H. DY EDWARD J. PHY	100- 37158- 1837
	Information concernin subject, 5/21/57	MCC SA	EDWARD H. DY EDWARD J. PHY	100- 37158- 1830
•	ADMINISTRATIVE PAGE			
	- 6 -			
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#### INFORMANTS (CONT'D)

Careful consideration has been given to each source concealed and T symbols were utilized in the report only in those instances where the identity of the source must be concealed.

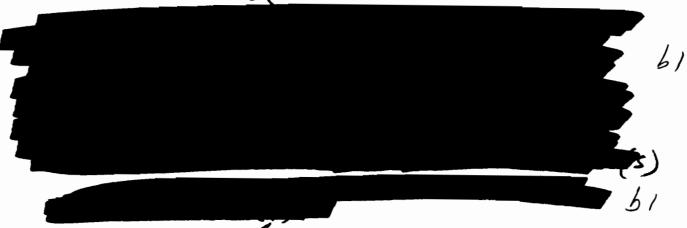
#### **ADMINISTRATIVE**

This report is being classified "secret" because of the possible reactivation of REINO HAYHANEN as a double agent ( )

No dissemination of any information in this case is to be made outside the Bureau unless it is specifically authorized by the Bureau ()

All reports containing information furnished by REINO HAYHANEN are to carry the classification "secret"

On May 21, 1957, REINO HAYHANEN stated that the name originally furnished to him by "MARK" regarding "STONE" was the Russian literal translation "STOUN". The indices of the NYO were reviewed regarding the names "STONE" and "STOUN". No identifiable information was located indicating the use by Soviet agents for the cryptonym "STONE"



ADMINISTRATIVE PAGE (CONT'D)



#### ADMINISTRATIVE (CONT'D)

A photograph of KOVALENOK was shown to HAYHANEN on 5/21/57. HAYHANEN stated that he did not recognize this photograph.

The photograph which was exhibited to REINO HAYHANEN on 5/17/57, of HELEN SOBELL, was a newspaper photograph as set out in the New York "Mirror" newspaper dated August 19, 1950.

LEAD

NEW YORK

#### At New York, New York

Will follow and report the pending appeal filed by attorneys for subject. (U)

REFERENCES: Report of SA RICHARD T. HRADSKY, 1/17/57, NY.
NY airtel to Bureau, 5/25/57.(U)

REFERENCES: Report of SA RICHARD T. HRADSKY, 1/17/57, NY.
NY airtel to Bureau, 5/25/57.(U)

### ADMINISTRATIVE PAGE (CONT'D)

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