

RLK:ejr  
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14. At a hearing before the Senate Internal Security Subcommittee on the Scope of Soviet Activity in the United States, 84th Cong., 2d Sess., held on April 26, 1956, there was introduced into evidence as Exhibit No. 280 a report entitled "The Circumstances Surrounding My Work as a Soviet Agent" by Harry Gold. The following are excerpts of that report, published by the United States Government Printing Office in 1956:

"[On May 22, 1950,] . . . I went into voluntary custody. . . . So I was taken to the Widener Building, and the now-familiar fifth floor, and there I told the full story of my relationship with Klaus Fuchs in every detail (even this took 4 or 5 hours), but I covered up Slack and Black and Brothman and the story of Smilg -- the David Greenglass incident I had actually completely forgotten about." (p. 1083-84).

"Greenglass I had met only twice, both times in Albuquerque, on the first Sunday in June of 1945: once for 15 minutes in the morning, and then for 5 minutes in the afternoon. As has been said before, until some time after my arrest, all memory of this incident had fled from me (probably this was because Yakovlev had subsequently -- and with intent to mislead -- told me that the information received was of no value). And I had forgotten the man's name completely. But I had remembered many things: the fact of my shock at discovering that he was a GI and a noncom; that his bride had just a few months ago, in April, joined him; the location of his apartment in Albuquerque; the fact that he was either a mechanic, an electrician, or a physicist's helper at Los Alamos -- in order of probability; that he had a small salami and a punpernickel loaf sent to him from New York every week; the \$500 I had given him (it was discovered later that the very day after my visit, he had deposited

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\$400 of this sum in an Albuquerque bank); the appearance of the house, in which was his tiny apartment, plus a description of the street; plus an accurate physical delineation of Dave and his wife; plus a fragment of conversation concerning a 'Julius'; plus a great deal more.<sup>14</sup> And so, in less than 2 short weeks, a positive identification was made . . . .

"<sup>14</sup> But for the life of me, I could not recall David Greenglass's name. So this was done: A list of some 20 last names was selected; first we eliminated the least likely 10; then we cut the list further; finally a group of the 3 most likely was chosen, and lo, Greenglass's was at the top. For his wife's name we did likewise and again 'Ruth' headed the list." (p. 1085).

15. I have compared the above quotations with the original source from which they were taken and I certify that they are in all respects accurate.

---

ROBERT L. KING  
Assistant United States Attorney

Sworn to before me this  
11th day of July, 1966.

# Memorandum

TO : Director  
Federal Bureau of Investigation

DATE: July 14, 1966

FROM : J. Walter Yeagley  
Assistant Attorney General  
Internal Security Division

SUBJECT: MORTON SOBELL

Reference is made to your memorandum of July 6, 1966, which enclosed a copy of a letter you received from William Kunstler.

We received a similar letter from Mr. Kunstler and we are enclosing herein a copy of our reply to him.

Enclosure

*1 - cc of hq & 1 - copy of Encl. dit'd*  
**ENCLOSURE**

*[Handwritten signature]*

34 JUL 15 1966

*per release*  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/30/82 BY 3042 PWT/lmw

*[Handwritten initials]*

REC-43

101-2483-1626

JUL 15 1966

104

Copy to NYO  
by routing slip for  
 info  action  
date 7-19-66  
by [Signature]  
53 AUG 23 1966

**SOVIET SECTION**

88130

July 14, 1966

William M. Hunter, Esquire  
Hunter, Hunter & King  
Attorneys At Law  
511 Fifth Avenue  
New York, New York 10017

Re: United States v. Martin Sabell

Dear Mr. Hunter:

Reference is made to your letter of June 29, 1966 to the Department of Justice and the Federal Bureau of Investigation requesting a copy of the standard operating procedure concerning the receipt and eventual disposition of documentary evidence procured for use in criminal trials.

Since your letter indicates that you are seeking this information in connection with your motion now pending in the Southern District of New York, it is our opinion that your request should be made to the Court in the normal course of this judicial proceeding. The appropriateness of this method of procedure is especially manifest by the fact that we have been advised by the United States Attorney's Office in the Southern District of New York that in its opinion your motion is not only legally insufficient, but is replete with unsubstantiated, reckless charges of fraud against the Department of Justice and the Federal Bureau of Investigation.

In addition, we believe this request should be addressed to the Court since your prior correspondence indicates you are interested in the rules governing the final disposition of the two hotel registration cards of Harry Gold, dated June 9 and September 19, 1945, respectively. As we advised you in our letter of September 22, 1965, the September 19 card, which was not involved in any way in the trial of your client, was destroyed in the normal course of operations by the Federal Bureau of Investigation on February 11, 1960, approximately nine years after Sabell's conviction, and the June 9 card was destroyed in the ordinary course of business by the Hotel in 1957, six years after the conclusion of the trial.

*for release*  
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DATE 4/30/87 BY 304 SPWT/1mw

Federal Bureau of Investigation

101-2483-1626

ENCLOSURE

As you know, the Supreme Court denied Sobell's petition for a writ of certiorari to review his conviction in October, 1952, eight years prior to the destruction of the September 19 card, and five years prior to the destruction of the June 3 card.

Sincerely,

J. WALTER YEAGLEY  
Assistant Attorney General

FBI

Date: 7/19/66

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

TO: DIRECTOR, FBI (101-2483)  
FROM: SAC, NEW YORK (100-37158) (P)  
SUBJECT: MORTON SOBELL  
ESP - R  
(OO: NY)

ALL INFORMATION CONTAINED  
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DATE 4/30/87 BY 3042 PWT/lmw

ReNYairtel, 7/12/66.

AUSA ROBERT L. KING, SDNY, advised 7/19/66,  
that subject's reply to Government's affidavit and  
memorandum in opposition to subject's motion due on 7/15/66,  
has not been received.

KING advised that he had been contacted by  
Marshall Perlin, one of subject's attorney's. PERLIN did  
not give any direct answer to question as to when subject  
would serve reply. He stated that subject's attorneys would  
seek adjournment of argument on motion scheduled for 7/25/66,  
and would file amended petition. PERLIN indicated the pro-  
posed amendment would concern the previously sealed trial  
exhibits. KING stated that PERLIN could not satisfactorily  
explain how this would affect subject's petition.

ENCLOSURE

- 4 - BUREAU (Encl. 1) (RM)
- (1 - 62-106323) (WALTER D. SCHNEIR)
- (ATT: CRIME RECORDS)
- 1 - NY 100-109849 (HELEN SOBELL)
- 1 - NY 100-135206 (WALTER D. SCHNEIR)
- 1 - NY 100-107111 (CSJMS) (41)
- 1 - NY 100-37158

101-2483-1627

JUL 20 1966

EFM:mfd (#331)  
(10)

SOVIET SECTION

Approved: 51 JUN 28 1966 334  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

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NY 100-37158

KING advised PERLIN that he would oppose any adjournment and is prepared to argue the motion on 7/25/66. He confidentially advised that the court on 7/25/66, would probably grant some adjournment, especially if WILLIAM KUNSTLER, who is alleged to have made a trip to Cambodia, is not present. KING stated he would reluctantly agree to a one or two week adjournment.

Enclosed for the Bureau is one copy of a notice of amendment of subject's petition received by USA, SDNY. This amendment merely changes the language of paragraph 42 of subject's petition and is not the proposed amendment mentioned above by PERLIN.

Bureau will be advised of developments.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MORTON SOBELL,

Petitioner,

-against-

66 Civ. 1328

UNITED STATES OF AMERICA,

Respondent.

NOTICE

Pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, petitioner respectfully notifies this Court that, inasmuch as respondent has not interposed any response thereto, he amends Paragraph 42 of his motion previously filed herein on or about May 9, 1966, to read as follows:

"42. Counsel were clearly and unmistakably threatened with economic destruction and social ostracism as reprisal for undertaking the representation of clients whose unpopularity, created and fostered by the government has had no precedent in the history of American jurisprudence. Their clients were threatened and abused by the government on account of their supposed political beliefs, and counsel were on this account coerced and intimidated into giving advice and taking steps which would have been inappropriate in normal circumstances. As a result of the aforesaid intimidation visited upon them, and threats of misuse and actual misuse of passion and prejudice against their clients, defense counsel, inter alia,

"a. proposed that the sketches and testimony of David Greenglass concerning the alleged secret of the atom bomb be received by the court in secret although the government was prepared to make the information public;

"b. failed and refused to cross-examine Harry Gold, one of the government's most important witnesses at the trial;

"c. refused to permit petitioner to take the stand in his own defense although petitioner's



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DATE 8/

complete defense to the capital charge was his total innocence;

"d. declared publicly that the trial of petitioner and his co-defendants, which was replete with fundamental violations of due process, was fairly conducted; and

"e. were unable or fearful of obtaining scientific aid to properly conduct effective cross-examination of appropriate government witnesses."

VERN COUNTRYMAN  
3 Suzanne Road  
Lexington, Massachusetts

BENJAMIN O. DREYFUS  
341 Market Street  
San Francisco, California

MALCOLM SHARP  
University of New Mexico  
Law School  
Albuquerque, New Mexico

ARTHUR KINOY  
WILLIAM M. KUNSTLER  
511 Fifth Avenue  
New York, New York

MARSHALL PERLIN  
580 Fifth Avenue  
New York, N. Y.

8

3

FBI

Date: 7/25/66

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

TO : DIRECTOR, FBI (101-2483)  
(ATTN CRIME RECORDS)  
FROM : SAC, NEW YORK (100-37158)(P)  
SUBJECT: MORTON SOBELL  
ESP - R  
(OO: NY)

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 4/30/87 BY 304 SPWT/lmw

*(Handwritten signature)*

ReNYairtel, 7/19/66.

AUSA ROBERT L. KING, SDNY, advised that in USDC, SDNY, on 7/25/66, defense attorney MARSHALL PERLIN requested delay in hearing on subject's motion under Section 2255, USC, in order that defense could file an amendment to the motion. PERLIN stated that amendment to the motion was necessary as a result of information obtained from experts who examined the sketch and testimony of DAVID GREENGLASS, which was contained in Government's Trial Exhibit #8.

- ④ - Bureau (RM)  
(1 - 62-108323)(WALTER D. SCHNEIR)  
(ATTN:Crime Records)
- 1 - New York (100-109649)(HELEN SOBELL)
- 1 - New York (100-135206)(WALTER D. SCHNEIR)
- 1 - New York (100-108111)(CSJMS)(41)
- 1 - New York (100-89559)(MARSHALL PERLIN)
- 1 - New York

PPD:laj  
(10)

101-2483-1628

JUL 26 1966

*H. D. WIG*  
*Soud*

CRIME RESEARCH  
SOVIET SECTION

50 JUL 29 1966  
*JAM*  
Special Agent in Charge

Sent \_\_\_\_\_ M Per \_\_\_\_\_

UNRECORDED COPY. FILE # 62-108323

NY 100-37158

He stated these examinations revealed that the sketch made by GREENGLASS was not a true representation of a cross section of the atomic bomb and his testimony relating thereto was false. He advised the court that as a result of these findings, the defense needed additional time to amend their original motion accordingly.

ABSA KING opposed any delay in hearing on the original motion, stating that there was no indication of any new evidence available since the time of the trial, and that amendment of the motion would prejudice the government in that it would in effect constitute a new motion, which would require an entirely new answer on the part of the government.

The court granted the requested delay by the defense and ordered that the amended motion is to be filed by 8/8/66.

ABSA advised that the above will probably be made answerable in USDC, on 8/15/66, but because it will require a whole new answer by the government, arguments will probably not be heard on the motion until September. He advised that in USDC, on this date, the courtroom was approximately two-thirds filled with supporters of SOBELL.

Above for information of the Bureau.

7/27/66

**Airtel**

1 - Mr. Lee

**To: SAC, New York (100-37158)**

**From: Director, FBI (101-2483)**

**MORTON SOBELL  
ESPIONAGE - RUSSIA**

Reurairtel dated 7/25/66 and your airtel dated 7/7/66.

You should furnish to the U.S. Attorney, Southern District of New York a memorandum setting forth public source information concerning Dr. Philip Morrison for his use in connection with current motion, if such has not already been done. Also furnish a copy to the Bureau for dissemination to the Department.

JPL:djn  
(4)

NOTE:

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DATE 4/30/87 BY 3042PWT/lmw

99

Morrison has been named by the defense as one of the scientists who will examine the sketch of the Atomic Bomb, introduced at the trial by David Greenglass. He is an admitted member of the Young Communist League and has a long association with Communist Party front groups.

RECORDED  
INDEXED  
PS:JIN

REC-35

101-2483-1629

JUL 28 1966

- Tolson
- DeLoach
- Mohr
- Wick
- Casper
- Callahan
- Conrad
- Felt
- Gale
- Rosen
- Sullivan
- Tavel
- Trotter
- Tele. Room
- Holmes
- Gandy

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JUL 28 1966 TELETYPE UNIT

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FBI

Date: 7/26/66

Transmit the following in \_\_\_\_\_  
(Type in plaintext or code)

Via AIRTEL \_\_\_\_\_  
(Priority)

TO: DIRECTOR, FBI (101-2483)  
(ATTN: CRIME RECORDS)

FROM: SAC, NEW YORK (100-37158)(P)

SUBJECT: MORTON SOBELL INFORMATION CONTAINED  
ESP - R  
(OO: NY) HEREIN IS UNCLASSIFIED

DATE 4/27/87 BY 3042 PWT/IMW

ReNYairtel, 7/25/66.

AUSA ROBERT L. KING, SDNY, advised 7/26/66 as follows:

KING stated that following hearing conducted on 7/25/66, in USDC, SDNY, before Judge DAVID W. EDELSTEIN, he was concerned over the Petition to amend defense motion, because the last page of this motion contained a reproduction of the GREENGLASS sketch of the atomic bomb which had been part of sealed government exhibit #8. KING pointed out that the filing of this Petition with the Clerk of the Court would in effect make this sketch public, whereas the previous court order regarding this matter, which was signed by WSDJ EDMUND J. PALMIERI, SDNY, on 4/21/66, called for the resealing of this exhibit after it had been examined by the defense.

- 4 - BUREAU (RM)  
(1 - 62-108323) (WALTER D. SCHNEIR)  
(Attn: Crime Records)
- 1 - NY 100-109649 (HELEN SOBELL)
- 1 - NY 100-135206 (WALTER D. SCHNEIR)
- 1 - NY 100-107111 (CSJMS) (41)
- 1 - NY 100-89559 (MARSHALL PERLIN)
- 2 - NY 100-37158

EX-103  
REC-28 101-2483-1630

FFD:mfd (#331) 53 2 12 BH,PP  
(11) See

JUL 27 1966

Approved: [Signature]  
Special Agent in Charge

Sent \_\_\_\_\_ Per \_\_\_\_\_

CRIME RESEARCH  
SOVIET SECTION

UNRECORDED COPY FILED IN 62-108323

Carroll to [unclear]  
101-2483-1630  
11-29-66



NY 100-87158

KING advised that in view of the above and upon the advice of AUSA SILVIO MOLLO, Chief of the Criminal Division, SDNY, a conference was held in chambers with USBJ PALMIERI, and it was decided the Government should move in USDC to have the defense Petition sealed.

A hearing was held in USDC 7/26/66, before USBJ EDELSTEIN at which the Government moved to have the defense Petition sealed. Defense attorney MARSHALL PERLIN strongly objected to the Government's course of action. According to AUSA KING, PERLIN displayed in court a copy of the book "Day of Trinity" by LANSING LAMONT, stating that this book contained a much more detailed diagram of the atomic bomb, than was represented in GREENGLASS' sketch.

Judge EDELSTEIN ruled that the defense Petition should remain sealed temporarily, but that the matter should be referred back to Judge PALMIERI for a final determination since he issued the original order.

AUSA KING stated that as a result of the above a hearing is being scheduled for 7/27/66, before USBJ PALMIERI as to whether the atomic bomb sketch of DAVID GREENGLASS, together with his testimony relating thereto, should remain as a sealed exhibit.

For info Bureau.

7/29/66

Airtel

1 - Mr. Lee

To: SAC, New York (100-37158)

From: Director, FBI (101-3483) -1630

MORTON SOBELL  
ESP - R

EX-105

Reurairtel dated 7/26/66.

In future communications, do not direct same to attention "Crime Records," except in those instances where information is of primary interest to that Division.

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DATE 4/30/87 BY 3042 PWT/lmw

JPL:pjn  
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NOTE:

New York has been submitting routine airtels attention "Crime Records" Division which creates a delay in handling same in the Soviet Section.

MAILED 4  
JUL 29 1966  
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- Tolson \_\_\_\_\_
- DeLoach \_\_\_\_\_
- Mohr \_\_\_\_\_
- Wick \_\_\_\_\_
- Casper \_\_\_\_\_
- Callahan \_\_\_\_\_
- Conrad \_\_\_\_\_
- Felt \_\_\_\_\_
- Gale \_\_\_\_\_
- Rosen \_\_\_\_\_
- Sullivan \_\_\_\_\_
- Tavel \_\_\_\_\_
- Trotter \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Holmes \_\_\_\_\_
- Gandy \_\_\_\_\_

57 AUG 5 1966

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