diversition in a meaning residual contraction of the legislative of the selection of the legislative of the selection of the

Atheren as the entering provision and where the regionarity in the town as the desired with the second and where the regionarity in the town as the town.

Congressional interest captain rules of statutow, construction must be invoked to resolve the ambiguity. The approach to be taken as the color. It is thinky exabilished.

"When Congress leaves to the judiciary the task of imputing to Congress an undeclared will, the ambiguity should be resolved in favor of lenity."

Bell v. United States, 349 U.S. 81, 83.

This rule of lenity, which has peculiar applicability to sentending provisions embodies a judicial policy that will not attribute to congress, in the enactment of criminal statutes

"an intention to punish more severely than the language of its laws clearly imports in the light of pertinent legislative history." Prince v. 18 United States, 352 U.S. 322, 329

Fürther expression of this salutary rule was given in. Ladner v. United States - supra

This policy of lenity means that the Court Will not interpret a lederal criminal statute so as to increase the penalty that it places on an individual when such an interpretation can be based on no more than a guess as to what Congress intended (at p. 178).

The dove emergions

Tare but restatements in a specific context of the same lent rule that a communal statute is to be supposed by construct a callanancy united states. 364 U.S. 587, 602 (dissenting opinion)

Secretico, <u>Unitedestates ve invandicio, 200 pese 5036 (coconicy, Unitedestates) approprias</u>
<u>Unitedestates, 355 dese 3053, canco ve Unitedestates, aubras.</u>
<u>Dadnes ve Unitedestates, aubras.</u>

The Congress and its of the specific of the second trees of the se

There is no indication that congress when it is the energy the Espionage Act in 1917 intended that the wartime penalty provisions would be applicable to violations of the Act committee after a cessation of actual mostlittles. No violence is done to Congressional purpose as that purpose was manifested in 1917, by restricting the wartime penalty provisions to violations committed during a period of actual hostlittles.

The 1954 Amendment (68 State 1219) which semoved one distinction for purposes of sentencing spectages peacetime and wartime of energy was an implicit recognition of the part of Congress that the commission of acts of espiciage during the edge war could be just as harmful to the National when commission of acts of espiciage during the commission of acts of espiciage during the commission of acts of espiciage during the Commission of acts of espicial when commission during actual warding such a consideration however.

Conclude made a factor in determining dong essional intention espect to the 1917 Act.

The the 1930s of recents supreme cours decisions distings celering to statutory sentane manyovertons, when carried into question by a full standaron for confederation realisting require their the reviewing court interprets the particular stabil including its legislative metown to resolve such assues victim tates the and take controls to the same the commission of the of construction relating to colminal statutes. This is the ceaching of Prince v. United States, supra, and Heflin ve United States, 358 U.S. 415 in countinese cases, where helder was sought under Rule 35 the subteme Court endeavoired to ascertain Congressional sintent with respectator certain sentending provisions of the Federal Bank Robbery Act. Finding little assista in the legislative history of the Act, the Court employed the rule of lenity by not ascribing to Congress an intention to punish more severely "than the language of its laws clearly imports. Prince v. United States, supra, at p. 329; see also Callanan v. United States, supra, (interpretation of Hobbs Act)

We submit that the wartime sentence of thirty years imposed by the trial court on petitioner was illegal on its face, and family must be vacated and set aside.

Respectfully Submitted.

DONNER, PERLIN AND PIEL BENJAMIN DREYFUS

Attorneys for Petitioner

Of:Counsel:

SANFORD M. * KATZ

A SECONDARIO SECUCIÓN DE LA CONTRACTION DE LA CO

OF TABLES AVENUES AT A OF STATE

Jennade 15 1632

MEANOREONSOEM Bos No. Paventaliz Milanes, ceorals

Dear-Mores

Prologed pleasers independent copy of the larger servences below

Last Thursday I specified a priority of the Assistant IJ. S. Attorneys who indicated that he wanted a one or two week adjournment of the motion is told him I could not consent to any adjournment, but seek nowledged that he undoubtedly would get a week from the Court. He made the point that I should have no concern in that the same judge will be sitting in the Criminal motion part on the 22nd and 29th at a weinfeld Oneriday he called and advised he as soing to be soin of the weeks. I concease in the lating that I could not consent.

At the call of the motion calender this moving he requested two weeks adjournment which is opposed but not the tanding that fact Veinfeld gave him the two weeks. Weinfeld will be sitting on the 20th. The U.S. Attorney advised Weinfeld that this vas a long record there were many other collateral proceedings and that his office had to study the record carefully and that in some lock time. The mod of the government was not import on has by but there was no indication that our motions would not be vicorously resisted they must even in the horizontal not be vicorously resisted they must even in the horizon the return day of the motion that even is a rocked in the form of the motion that even is a rocked in the following the contraction that are some like the motion that even is a rocked in the source of the motion that even is a rocked to the motion t

Literangument. I old nos vens kometer te dina morning. In that at a might have been used as an excuse nor a funding ad lournment.

Conversations or in court about referring this matter to Kaulmen MAIL Indications are to the contrary of this my feeling that Kaulman must have been spoken to and he decided to stay away from it now that he is in the court of Appeals don't want you to have any illusions about weinfeld a Helis a very competent judge but the issues in this case transcend competency. The most important thing is to get the case as rapidly as possible to the Supreme Court

How are you feeling? Are you back on a full regular schedule? Warmest regards

Sincerely

Marshall Perlin

MP 11 enclosure :

1 - 1 - 1 - 1

SAC, CHARLOTTE (100-8357)

2/13/62

SAC, NEW YORK (100-107111)

CONSISTEE TO SECURE JUSTICE FOR MORTON SOBELL IS - C

The following news item is from the "Morning Freiheit" of January 12, 1962, on page 8, columns 4-5:

Morton Sobell's Mother In Front Of White House For Son's Liberation

Washington, Jan. 11 - Mrs. Rose Sobell, mother of Horton Sobell, demonstrated here, yesterday, in front of the White House, for the liberation of her son, who was convicted in the Rosenberg case, and sentenced to 30 years in jail. He has been in Jail since 1950.

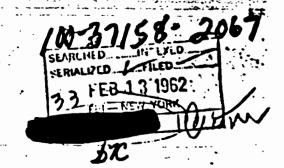
Mrs. Sobell, who is 67 years old, sat down in a white House driveway. Despite the bitter cold, she sat there for 40 minutes. Mrs. Sobell tried to enter the White House, but the police topped her. Hrs. Sobell advised that she would carry out a number of peaceful actions to gain the freedom of her son. Yesterday's picket demonstration was the first peaceful action by Mrs. Sobell.

In conjunction therewith, Krs. Sobell issued a statement to the press in which she pointed out that the liberation of her son is now her only object in life.

In the statement, Mrs. Sobell said, in part:
"Since my son's arrest, in 1950, I have devoted all my energy
to reach this objective (his literation). During the past
literation business of people, including prominent citizens
of the United States, and other countries, have stated,
p liely, that my son's trial and the 30-year jail sentence,

:: 2-Charlotte (10)-8357)(RM)
- 1-Mew York (10)-188869)(ROSE SOBELL)
- 1-Mew York (10)-37150)(MORTON SOBELL)
- 1-Mew York (10)-107111)

PHS:par (5)



NY 100-107111

which he was given, was not Just. The courage of such people as Methodist Minister David Andrews, who came to Washington to ask for Monton's liberation, sustained me and gave me hope and faith".

"What good is it for me to be free, when my life is full of daily pain. I shall go to the White House to make clear, in my own way, the truth about my son. I am ready to spend all my days in jail. In such a way I will at least share with my son and his difficult experiences. In this way President Kennedy will learn about the anxiety of a mother", Mrs. Sobell said in her public statement.

The above was translated from the Yiddish and 18 being submitted for your information.

6

SAC, NEW YORK (100-107111)

2/15/62



COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL IS - C

The following editorial appeared in the "Morning Freiheit" of January 14, 1962, on page 8, columns 1-2:

The Auguish Of A Despairing Mother

Day after day, in front of the White House, there is picketing by the mother of Morton Sobell, who has been lenguishing behind for 12 years, on a 30 year jail sentence, which was handed down as the result of an exaggerated charge of espionage at the time of McCarthy hysteria in the country.

The bitter cold during the past few days did not stop Mrs. Rose Sobell, mother of this victim of hysteria, from keeping her watch in front of the White House and from demanding the liberation of her son, or that he receive a new trial.

In a statement to the press, Mrs. Sobell emphasized that thousands of prominent personalities in this country and abroad have questioned the course of the trial of Morton Sobell and the sentence he received.

From all corners of the country there are demands that Morton Sobell be freed. There are cries of anguish from his mother, his wife and his children, who beg for justice, This cry should be heard!

The above was translated from the Yiddish by INTERPRETER.

1-New York (100-) (ROSE SOBELL)
1-New York (100-) (MORTON SOBELL)

1-New York (100-107111)(41)

PHS:paf

少人

FILE #	100-371	158	i de la companya de l		
SUBJECT	MORTON	SOBELL			
SERIAL _	2072	DATE	2/26/62		
CONSISTIN	G OF	<u> </u>	PAGES		

is exempt from disclosure, in its entirety, under (b)(1) as it has been classified pursuant

information which would disclose an intelligence source. This serial bears the Classification

to Executive Order 11652 as it contains

Officers number

FILE #	MORTON SOREII			an all a summary and a summary			
SUBJECT							
SERIAL _	2079		DATE	a/a	1/42	Q	
CONSISTI	NG OF	4		PAGES	i 		

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

BAC, CHIRLOTTE 4/13/62 CONSTENTIAL BAC, NEW YORK (100 107111) committee to becure justice POR MORTON BOBELL 18 V C THEFE {∞: Her York] Identity of source Description of info 80BELL Counttee Breakfast Date received 4/9/62 Original located A copy of informant's report follows: ALE INFORMATION CONTAINED HEFFIR IS UNCLASSIFIED A CLASS FIED SY OUR EGITEL TU EXCEPT WHERE SEOM PIESTISE EXEMPT FROM C \TECORY _sca DATE OF DECLASSIFICA eon indefini Charlotte New York Her York (100 1090-0) (Hindshammer (101) New York Her You New York (100 5/158) (BERTON SOBELL) (424) - 5-25 Eew York York York Bow York (100 107111) (41) 15 (1) IPTO PRINTED IN THE PERSON IN ed this cities & BOWLDED etter biretu SLTP(8) (8) 24 APR 13 1962

9

NY 100-117111

April 8, 1962

The "Breakfast for Preedom" was held at the Belmont? Plaza Hotel, Lexinton Ave. & 49th Street, on April 7, 1962, Present: about 220.

DAVID ANDREYS, Methodist minister from North Carolina was presiding. He introduced himself, as a member of the human race. He said that many of his friends thought that he was sither a Communist or crazy, for getting involved in the SCHEIL case. He said that there was no doubt about MORTON SCHEIL's immocence. Mr. ANDREWS assured the mudience that MORTON SCHEIL will be freed this year. According to Mr. ANDREWS, SCHEIL has many supporters in the Government, especially in the Justice Department. One of SCHEIL's attorneys, SANFORD (PH) EATZ(PH), spoke briefly about their hope to free SCHEIL. He finished with the alogan; we shall overcome

HELEN BORKLL, spoke about her recent trip to Europe, and about the friendly reception she got from outstanding personalities. Among the SOUKLL Cases supporters she mentioned the President of the Italian Senate, and the Queen Mother of Belgium, Lord BERTRAND RUSSKIL, and others. She showed a bunch of newspaper clippings. Ars. SOBELL spoke about the fair radio and TV coverage she has gotten letely. According to Mrs. SOBELL, the voice of the American press has changed lately; they don't call SOBELL traitor and spy any more.

MURRAY REMPTON of the New York Post errived at 11:30. He appraised Mrs. SOBELL's beroic struggle to free her innocent husband, and offered his further support to the SOBELL case.

bution was very generous. A man named GENE PRATE (PH) gave \$50.

PELLA HALEPSKY from the Allerton Community Center was one of the Ushers. Dr. HANLEY and many others who are known from the Worker and other "Progressive movement" meetings, were also present.

At 12:30 they were going to start their march to the U.M.

hotel entrance.

(a) = 60

W 100-11711 CONT XITAL

receipt of 112.00 for 2 reservations to the Breakfast for Freedom. It is signed "IEAH SCHNEIDER, New York Sobell Committee". (See NY 100-107111-1B1250)

Committee | [See NY 100-10/111-181250] | Source Blac furnished a printed receipt for \$10.00 initial committee stamp for 2 reservations. (See NY 100-107111-181251).

CON

ENTIAL

SAC, NEW YORK (100-107111). COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL 18 . C (00: New York) Description of info SOBELL committee breakfast Date received 4/9/62 Original located A copy of informant's report follows: ALL INFORMATION CONTAINED HETCH IS UNCLASSIFIED - Charlotte Hen Jolk New York (100 109048) (HELEN SUBERAL) (424)

New York (100-17111) (41)

1 - New York (100-187111) (41) RCB: ete CLASS FIED BY 2010 RY. EXEMPT FROM GDS OF ON INDEFINIT DATE OF DECLASSIFIC

NY 100-117111

April 8, 1962

CONE

The "Breakfast for Freedom" was held at the Belmont Plaza Hotel, Lexington Ave., & 49th Street on Aoril 7, 1962 at 10 a.m. About 220 people participated.

After breakfast, the chairman, DAVID ANDREWS introduced himself as a Methodist minister who now works as an educational counselor (ph) in North Carolina. He has been interested in the SOEKIL case, he said, for a number of years, and tries to work for his release, because he is convinced about SOEKIL's innocence. Mr. ANDREWS predicted that SOEKIL will be free this year, his case has many supporters in the Department of Justice.

A young lawyer, who came out of law school in 1958, and is with the firm that defended SOBKIL spoke about their work on SOBKIL's behalf.

HELEN SOBELL reported on her European trip and her meeting with prominent personalities, who want to help her to free her husband. Among them was the Queen Mother of Belgium, BERTRAND RUSSELL in England, and several others. She said she was very satisfied with the press coverage abroad, and at home the tone of the press has changed too; they don't refer to her as the spy's wife any more. Mrs. SOBELL described her latest visit with her husband in the Atlanta prison, told the audience that he was still a scientist, studies advanced calculus besides his work in prison. MURRAY KEMPTON from the New York Post was the next speaker. He declared that Mrs. SOBELL was one of the most important people alive in America today, and pledged his further help in the case.

Then she asked those present to join the march to the U.M.

Office Memorandum • United States Governm DATE: 4/13/12 FROM: SAC, Menlyoch SUBJECT: MOLTON SUBELL (100-37/88) Me pokejs deines fortieren to Brush 100 - 37158 2082 ESARCHED_INDEXED_ APR 1 CISE2
FBI - NEW YORK

FILE # MORTON SOBELL

SUBJECT MORTON SOBELL

SERIAL 2083 DATE 3/16/62

CONSISTING OF 3 PAGES

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

SAC, NEW YORK (100-109849)

SAC, BAN FRANCISCO (100-37058)(RUC) 🚵

HELEN LEVITOV SCBELL SM - C

001

The 3/29/52 issue of the "Golden Gater." a student newspaper at San Francisco State College, San Francisco, Calif., contains an article entitled "HELEN SOBELL still trying to clear convicted husband." This article reflects an interview of Subject on 3/23/62, on the State College campus, and states that "she has concrete evidence to prove that the lone prosecution witness, MAX ELITCHER, who admitted that he had perjured himself, was later given a Job by the FBI." The remainder of the article sets out her efforts to free her husband and the efforts of the Committee to Secure Justice for MORTON SOBELL (CSJMS).

The above information in addition to pertinent activities of Subject while she was recently in the San Francisco area, will be set out in the next CSJMS report of the San Francisco Office.

New York (REGISTERED)

2 - 100-109849) 1 - 100-107111 (CSJMS)

(MAX ELITCHER) 2 - San Francisco

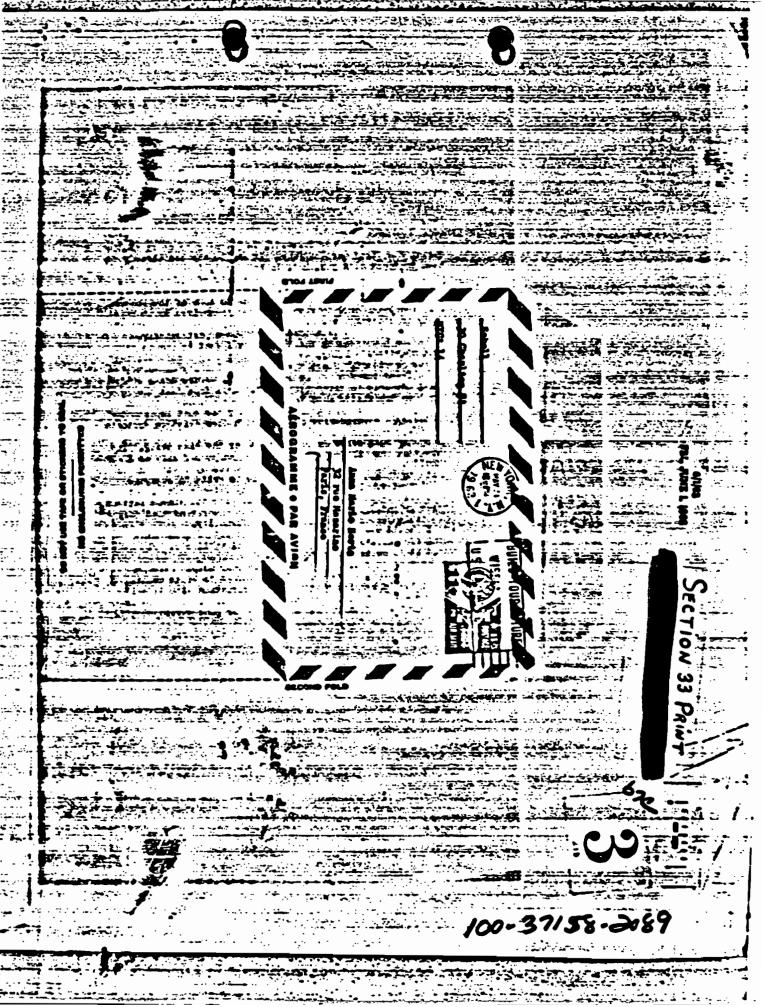
1 - 100 - 37058(HELEN LEVITOV SCBELL)

1 - 100-35117 (CSJMS)

WLL:mal

1967

toghter, Bythey Curvetts, is planning to be in the first part of June. It may be she has alre ch with you, but, in any event, I know a at to belp with may efforts on Morton's bloolf which are i undertaken at this time. Persage ber presence in faris could caree at a way of getting to come of the works ful French leaders who have expressed themselves so course willy on other issues. It would be very good and important tre statements from some of the wo As you have some by the eard which I sent to you in the est committee amiliag, we need to have many people writing our President. Since there is a possibility of Morton's being freed through perole on July 27th, we are doing every taing possible to bring tain about. I do hope that the our m translated into French and that a number of such ards and letters are being sent. They are most important to conver the world-wide ecocors which does exist on Nor Sydney must serve as our seeting for the time being. T cure that she will enjoy neeting you and your family on & consistently. I do think of all of my friends after, but must for the most part content myself with the mineral letter. which go out. I's sure that people do understand that are truly personal for all of their formality. I should very such like to have the letter from But Ry best to you, and my thanks for your bals. efore too long there will be good things to writ I got the impression that while the situation with Algeria se which still leaves much to be desired, provincets. By hopes and wholes are for good develop



UNITED STATES GOVERNMENT MEMORANDUM SAC, NEW YORK A confidential source of the New York Office (documentation anonymous)/made available the attached communication on Due to the highly confidential nature of the source and its sensitivity, no mention is to be made of the attached communication in any Bureau report. The attached communication is to be used only as an investigative aid and for investigative leads. IT IS NOT TO BE DISSEMINATED. 0-65-180US

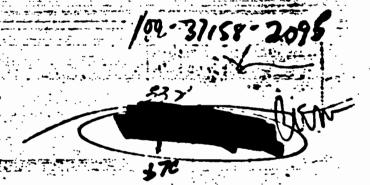
file # _	100-3	7158		and the second s				
SUBJECT	MORTO	N SOB	ELL	n en				
SERIAL _	<i>2</i> 093		DATE	10/2/	ر			
CONSISTIN	IG OF	*		PAGES	er Talandari Talandari Talandari Talandari			

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

fice Memorandum • United STALES GOVERNMENT FROM

SUBJECT: HORTON SOBER da Subject in an 51 and lost reject was submitted policifes. Ar annual investigation reject will be Course Por and assigned to 1 W 37158 2083

SAC, NEW YORK (100-50045) (42)On 9/21/62. (protect identity by TSymbol and characterize as, who has furnished reliable information in the past") made available to the writer music and lyrics to THITTY TEARS . a ballad for MCATON SOBELL composed by EDITH SEGAL. The above item is retained in NY 100-80046-1413. - 100-50045 (424) PT3: !== !:



	0			
विकास के प्राप्त के किया है जिसके के स्वाप्त के अपने के प्राप्त के किया है जिसके के किया है जिसके के किया किया किया किया किया किया किया किया किया किया	ন্ত্ৰ কৰিছিল জিলি জানিক বিশ্ব কৰা কৰিছিল জিলি		TO CONTRACTOR STATE OF THE STAT	ACTION AND THE
OPPICE	MENORAL	ID UN *** UN	ITED STATES GOVERNI	ENT .
TO: BA	C. LOS ANGELES	(100-41648)	DATE: 11/14/62	
HAT ALL THE REAL PROPERTY OF THE PARTY OF TH		476		
FROM:				100
SUBJECT: LOS	S ANGELES COMM	TTER TO		3 6
	CURE JUSTICE FO)R	ر از در از در در از در از در در از در	
18·	rton sobell -C	and the section of th		
			The large was a supplied to the same	44.
SOURCE	ACTIVITY	DECETION	ACTION TOOLS	دارد دانگرین میکند مؤهند در شهیمی از در بدر میگر جهیمانی شرکی در بیشتر
BOUNCE	MCTIVITI .	RECEIVED	AGENT LOCATION	
and the second s	See below	11/7/62		
The second secon		أبراني والمستوانية والمستوانية والمستوانية	والمارية الايروية وشائلا لميوب بالمستشام بالمنتخب	myt r
TALK TO THE PARTY OF THE PARTY				
	Ы	and the state of t	ेर केर के 10 कि <u>गाँउ के समझ</u> ी का कि मानिक के के के के के के कि के	
	O ,	• •		
		•	The second se	
	•			
	. •	•		
		<u> </u>		•
			٠.	1.54
E Man Mark	220200000000000000000000000000000000000	ander entry proving programme de production de la company de production de la company de la company de la comp	المناسبة المائد والمناسبة	in and
6 - New York- 100-107	TI (CSJMS)	-	The second secon	
100-109 65-508	849 HELEN SOF	BELL)		11 m
65-508	MORTON SO	BELL)		A Secretary
ing (1) Proping to the state of			های در باشد از این ۱۳۱۶ مرافق به این ۱۳۱۰ میشود با در ۱۳۱۰ میشود از این	e desire di ser di senti di serio. Procedente della di serio di
a partir de la companya de la compa La companya de la co	**	14 92.25	الله المراجعة المراجع المراجعة المراجعة ال	
Tarana and Tarana	PECTOMERED	670	Pho-	
San Dieko	-REGISTERED	a de la	37/5	9-700
				207
Detroit-	REGISTERED		ARCHED =	
		E N	RIALIZED	
6C:		Dr.	NOV 2 P 1952	
	A .		Will Young	
CEW:mtn /	5, 5, 5 1			
CEW:mtn (10) (M)	a by CEW		10	





IA 100-41648

The leaflet is quoted as follows:

Here at Last ---

"The FIIM That

*Can FREE

"MORTON SOBELL

"Out of the film laboratories--and the hearts--of top talent in the movie field has come a motion picture documentary that will stir the nation.

There is only one star in this movie--THE TRUTH.
But there are many participants: DR. HAROLD C. UREY, Nobel
Prize scientist; law professors STEPHEN LOVE and MALCOIM P.
SHARP; NORMAN THOMAS; Rev. ERWIN A. GAEDE; Los Angeles television commentator LEW ERWIN; The SOBELL FAMILY; rare film of
MORTON SOBELL himself, plus other exciting ingredients to
make for a powerful indictment of an inexcusable injustice.
The film is 16 m. sound and runs half an hours.

"The movie will convince. It will arouse people to action. It will become known throughout the nation, if you help.

"WILL YOU HELP LAUNCH THIS FILM? Funds must be available to pay for prints (\$75 each), to buy time on television stations throughout the country to reach thousands of viewers at once, to arrange previews in local theatres and auditoriums, and to distribute the film to church, synagogue, campus, civil liberties and other community organizations.

Tear off and mail immediately

"Sobell Committee 940 Broadway New York 10, N.Y.



9

IA 100-41648

I am con	tributing \$_	to	ward di	stribut	ion of	the Pi	la.	
II would :	like to arra	ange a f	und-rai	sing sh	owing:	in my h	CELS.	
	"Name	غربيه يتستأس						35
	"Address	·						1
	"City and !	State	• • • •		* **** *	The same of the sa		

ACTION:

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

Copies have been designated for New York for STEPHEN W. MAILDIM T. SHAW and Wroald THOMAS, for New York to disseminate to appropriate offices, since New York is 00 and the 00 in these cases are unknown to los Angeles.

All necessary action in connection with this memo

INDEX

57C