# FILE DESCRIPTION NEW YORK FILE

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SUBJECT	Rassa	NEP9	Sobel
FILE NO.	100-	107/11	
VOLUME	NO. I	Bulki	
SERIALS.	18		
		LRU	
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# NOTICE

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# BULKY EXHIBIT

HATIONAL CONVIT	THE TO SECURE JUSTICE O CASE - 100-107111
(Title o	f case)
Submitted by Special Agent	Car Cardal W
Source from which obtained Address	•
Purpose for which acquired  Location of bulky exhibit	In cabinet with file
Estimated date of disposition	To be decided at conclusion of case of exhibit Retained
_	

# List of contents:

Photostatic copy of pamphlet "To Secure Justice in the Resemberg Case" and letter.

100-107811-19 SEARCHED INDEXED SERIALIZED FILED FI

## BULKY EXHIBIT

	Date received 2/25/52 ITTHE TO SPOURE JUSTICE
13	0-107111-1B
(Title	of case)
Submitted by Special Agent	J. Harrington
Source from which obtained	See Sarial 61d
Address	•
Purpose for which acquired	Investigation
	In cabinet with file
	To be decided at conclusion of case
	of exhibit Retain
List of	f contents:
2. Statement by Joseph Branin, to Secure Pustice in the Mo	Frofessional Chairman, National Committee scenberg Case.
Booklet captioned "To Secur	re Justice In the Rosenberg case. Death
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# BULKY EXHIBIT

	Date received 3/13/52
	THE ROSENBERG CASE 100-107111-1B tle of case)
Submitted by Special Agent	J. Harrington
Source from which obtained	CSVY 426
3	
Purpose for which acquired	
Location of bulky exhibit	In cabinet with file
	To be decided at conclusion of case
	ie of exhibit Retain
<del></del>	of contents:
4. Material obtained from ab	ove captioned subject -
	OVE captioned subject - Letter signed

6. Material obtained from above captioned subject - Press Release dated March 3, 1952.

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FBI - NEW YORK

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) PD-141 (1-1-48)

## BULKY EXHIBIT

	Date received 3/5/52
NATIONAL CO	CHAPTITES TO SECURE JUSTICE
IN THE	3 POSELBERG CASE
(Title of	0-107111-1B
(11010 01	
Submitted by Special Agent	J. Harrington
Source from which obained	See Serial 676
Address	
Purpose for which acquired	-Investigation
Location of bulky exhibit	In cabinet with file
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made of a	exhibitRetain
· ·	, ————————————————————————————————————
List of co	ntents:
7. A mailing received by from the National Committee to 246 Fifth Avenue, N.Y.	Secure Justice in the Rosenberg Pase,

SEARCHED MIDEXED SERIALIZED AND FILTO AND SERIALIZED AND FILTO AND SERIALIZED AND FILTO AND SERIALIZED AND SERI





FD-141 (7-1-48

#### BULKY EXHIBIT

	Date received 3/12/52
18	THE ROSERBERG CASE 100-107111-1B
(Tit	le of case)
Submitted by Special Agent	HYMAN N. RABINOWITZ
Source from which obtained	
Address	
Purpose for which acquired	
Location of bulky exhibit	In cabinet with file
Estimated date of disposition_	To be decided at conclusion of case
Ultimate disposition to be mad	e of exhibit
:	
Tint	-C

List of contents:

8. Notes taken by SE Hyman N. Rabinowit, at the meeting 3/12/52 at Pythian Hall, 135 W. 70th Street.

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(7-1-48)

#### BULKY EXHIBIT

		3/14/52
NATIONAL CONSTITUE IN THE RO	TC SECURE JUSTICE	
	0-107111-18	
	of case)	
Submitted by Special Agent	J. Harrington	
_		

	- All Till Coll
Source from which obained	See Serial
Address	
Purpose for which acquired	İnvestigation
Location of bulky exhibit	In cabinet with file
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made of	

# List of contents:

- 9. One photo taken at a meeting of the National Committee to Secure Justice in the Rosenberg Case held at Pythian Hall, 135 West 70th St. NYC on Parch 12, 1952. Individuals on Platform Identified from left to right as follows: William Meuben, Mev. Spencer Kennard, Mary Van Kleeck, Joseph Brainin, Albert E. Kahn, Helen Sobell.
- Two pictures of the meeting of the National Committee to Secure Justice In the Rosenberg case Held at Pythian Hall, 135 West 70th Street, NYC on Earch 12, 1952.

100-107/11-18 SEARCHED. THOEXED\* SERIALITED DATED DE Late REM VOICE

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## BULKY EXHIBIT

	Date received
It: THE ROS	EE TO SECURE JUSTICE
**************************************	107111-1B
(Title or	f case)
	•
Submitted by Special Agent	J. Harrington
Source from which obained	See Serial 676
Address	
Purpose for which acquired	<b>—</b>
Location of bulky exhibit	In Vanlt
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made of	exhibit
<i>.</i> •	•
List of c	
••••	••
11. Daily worker's Customer's In	voice Advertising Receipt.
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(4) 160-107111-18 SEARCHED INDEXED SERIALIZED FILED FILED MAR 2 7 1952

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#### BULKY EXHIBIT

	Date received	3/14/52
NATIONAL COMMI	TTEE TO SECURE JUSTICE	
IN THE	ROSET BERG CASE	
10	00-107111-1E	
(Title	of case)	
Submitted by Special Agent	J. Harrington	
Source from which obained	Contra - Lu	Siral 1
Address	<del></del>	
Purpose for which acquired	Investigation	·
Location of bulky exhibit	In Vault	
Estimated date of disposition	To be decided at co	nclusion of case
Ultimate disposition to be made of	of exhibit Retain	l <del></del>
List of	contents:	
12. Material obtained from above	e captioned subject. Pr	ess release.

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Date received 3/18/52

PD-141 (7-1-48)

# BULKY EXHIBIT

IN THE RO	TEE TO SECURE JUSTICE DESCRIBERG CASE LO7111-1B
(Title of	
Submitted by Special Agent	J. Harrington
Source from which obained	Sie Senil
Address	
Purpose for which acquired	Investigation
Location of bulky exhibit	In Vault
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made of	exhibitRetain
List of C	
13. Vaterial obtained from above dated March 10, 1952.	captioned subject- Press release
I troubued on on much in in much in in	ttachmark to see you
	(8)
	SEARCHED INDEXED SERIALITED SERIA



PD-141 (7-1-48)

#### BULKY EXHIBIT

	Date received	3/18/52
HATIOHAL COLI	ITTEE TO SECURE JUSTICE	
	115 KOSETBERG CASE 0-107111-13	
(Title o	( case)	
Submitted by Special Agent	J. Harrington	
Source from which obained		b7d
Address		·
Purpose for which acquired	· Investigation	
Location of bulky exhibit	In Vault	
Estimated date of disposition	To be decided at	conclusion of c
Ultimate disposition to be made of exhibit		in
-		
List of	contents:	

14. Katerial obtained from above captioned subject - Press Release dated March 13, 1952.

SERIALIZED TO PILED TO SERIALIZED TO THE SERIALI

(9)

#### BULKY EXHIBIT

	Date received	March 18,	<u>19</u> 52
IN THE	TEE TO SECURE JUSTICE RUSETBERG CASE -107111-18		
(Title of	case)		
Submitted by Special Agent	J. Harrington		
Source from which obained	\$17.426 - See	Serial	
Address			<del></del>
Purpose for which acquired	Investigation		

In Vault

#### List of contents:

Location of bulky exhibit\_\_\_

Estimated date of disposition\_\_

Ultimate disposition to be made of exhibit\_

15. Material obtained from above captioned subject - Press Release dated March 7, 1952.

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To be decided at conclusion of case

Retain

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#### BULKY EXHIBIT

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B
Marrington
See Serial
estigation
Vault
be decided at conclusion of car
Retain
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(7-1-48)

#### BULKY EXHIBIT

	Date received	4/1/52
NATIONAL COLDUIT	BE TO SECURE JUSTICE	•
	ENBERG CASE 7111-18	
(Title of o	case)	
Submitted by Special Agent	J. Harrington	
Source from which obained	CSNY / /	rial
Address		<del></del>
Purpose for which acquired	Investigation (	· · · · · · · · · · · · · · · · · · ·
Location of bulky exhibit	In cabinet with file	B
Estimated date of disposition	To be decided at con	nclusion of case
Ultimate disposition to be made of e	xhibit	
List of con	tents:	

17. Katerial obtained from above captioned subject on 3/14/52.

(12) APR 1 5 1952
F31 - NEW YORK CELACHED.

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FD-141 (7-1-48)

#### BULKY EXHIBIT

	Date received	4/1/52
NATIONAL COM'I	TTEE TO SECURE JUSTICE	
	ROSENBERG CASE	
10	0-107111-1B	
(Title	of case)	
Submitted by Special Agent	Harrington	
Source from which obsined	CSMY 426 - See Serial	
Address		
Purpose for which acquired	Investigation	
Location of bulky exhibit	In cabinet with file	
Estimated date of disposition	To be decided at conclu	sion of case
Ultimate disposition to be made	of exhibit Retain	
•		
List of	contents:	

18. Material obtained from above captioned subject - "A Mother Writes from the Death House - "We are Innocent"

14.





#### BULKY EXHIBIT

	Date received 4/1/52
II: THE R 100-1	TTER TO SECURE JUSTICE OSENBERG CASE 07111-18
(lifte o	f case)
Submitted by Special Agent	J. Harrington
Source from which obained	See Serial
Address	
Purpose for which acquired	Investigation
Location of bulky exhibit	
	To be decided at conclusion of case
Ultimate disposition to be made o	
List of	contents:

19. L'aterial obtained from above captioned subject - Press Release dated March 20, 1952.

(14) 180-107111-18 SEARCHED. INDEXED. APR 1 5 1952 Filed APR 1 5 1952 File NEW YORK

dated Harch 20, 1952.



Date received\_\_\_

PD-141

4/7/52

#### BULKY EXHIBIT

	R TO SECURE JUSTICE
	167111-13
(Title of	case)
Submitted by Special Agent	J. HARRINGTON
Source from which obained	See Serial bid
Address	-
Purpose for which acquired	Investigation
Location of bulky exhibit	
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made of	exhibit <u>Retain</u>
List of c	ontents:
20. Material obtained from above	captioned subject - Press Release

(15) SERIALIZED FILED APR 1 9

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FD-141 (7-1-48)

#### BULKY EXHIBIT

	Date received 4/7/52	
100-	SEMBERG CASE -107111-1B	
- (Title of	case)	
Submitted by Special Agent	J. Harrington	
Source from which obained		
Purpose for which acquired		٠
Location of bulky exhibit	In cabinet with file	
Estimated date of disposition	To be decided at conclusion of	î case
Ultimate disposition to be made of		
List of co	ontents:	
	•	

21. Material obtained from above captioned subject - "March 28-ROSEMBERG DAY" GETS WIDE SUPPOR: CATHOLIC EDITOR AMONG AMICUS SIGNERR.

SERIALIZED SERIALIZED SERIALIZED FILL D. JOHN JOHN FOR THE PARTY TO TH

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## BULKY EXHIBIT

	Date received 4/11/52	
HATIOHAL COMMITTEE	TO SECURE	
JUSTICE IN THE ROSE	ENBERG CASE	
100-107111-	-1B	
(Title of ca	188)	•
Submitted by Special Agent	J. Harrington	
Source from which obsined		
Bource from which obstined		
Address		
Purpose for which acquired	·Investigation	-
Location of bulky exhibit	In cabinet with file	
Estimated date of disposition	To be decided at conclusion of ca	156
Ultimate disposition to be made of ex	Retain	
List of cont		

22. L'aterial obtained from above captioned subject - A Fact Sheet on Anti-Semitism in the Case: Newspaper Comment.

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FD-141 (7-1-48)

#### BULKY EXHIBIT

100	-107111-1B	
(Title of	CABE)	
Submitted by Special Agent	J. Harrington	_
Source from which obained	See Serial 64	_
Address		•
Purpose for which acquired	· Investigation	<del>-</del> .
Location of bulky exhibit	In cabinet with file	_
Estimated date of disposition	To be decided at conclusion	of case
Ultimate disposition to be made of	exhibit Retain	<del></del>

Material obtained from above captioned subject - ASK NEW ATTORNEY GENERAL TO FACILITATE SECOND TRIAL FRO ROSENEERGS, MORTON SOBELL 23.

> SEARCHED.





PD-141 (7-1-48) .

## BULKY EXHIBIT

NATIONAL CONSITTEE T JUSTICE IN THE ROSE	Date received 3/12/52 TO SECURE THERE CASE
100-107111-1	lB
(Title of	case)
Submitted by Special Agent	J. Wilson
Source from which obained	
Purpose for which acquired	Investigation
•	In cabinet with file
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made of	exhibit
Pamphlet titled "The Rosenber	rg Case" a fact sheet.

(A) SEARCHED INDEXED
SERIALIZED FILED FILE
APR 2 4 101 1



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# BULKY EXHIBIT

				:
	NATIONAL COPTITEE TO	Date received_	3/31/52	
	JUSTICE IN THE ROSE	IBERG CASE		
	100-107111-	-1 B		•
	(Title of G	ase)		•
Submi	tted by Special Agent	J. W. Dooley	·	- 57d
	e from which obained	See Serial	ting from the strong frequency	
1	Address		·	
	ose for which acquired	Investigation		. ,
Locat	tion of bulky exhibit	In cabinet wit	h file	
	nated date of disposition	m to dead dad	at conclusion	of case -
		Pot	ain	_
Ultin	mate disposition to be made of e			
	List of cor	ntents:		<b></b>
	Printed pamphlet entitle: "The by subject organization.			
26	Printed pamphlet entitled "To " by Vm. A. Reuben published by s			
27.	Printed flyer announcing a publ Hall, NYC, regarding the Resent subject organization.	lic meeting for 3/ perg case, held un	12/52 at Pythic der the auspica	
28.	and the second of the second o	tterhead of subjections to the Rosenbe	et organization erg case fund.	, dated (20)
		•	SERIALIZED APR 2 4	FILED > 7

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SEARCHED INDEXED SERIALIZED APR 2 4

INDEXED.

#### BULKY EXHIBIT

•	Date received 3/31/52
NATIONA	AL CONTITUE TO SECURE
JUSTICE .	IN THE ROSENBERG CASE
	100-107111-12
(1	Title of case)
Submitted by Special Agent_	J. W. DCCLEY
Promitted by precial weens	27
Source from which obained	See Serial
, 4 ,4-	
Address	
	Investigation
Purpose for which acquired_	
Location of bulky exhibit	In cabinet with file
bocavion of bally control	To be decided at conclusion of case
Estimated date of dispositi	on
	Retain
Ultimate disposition to be	made of exhibit
Li	st of contents:
A SOCIAL PROPERTY OF THE PROPE	10/52 carrying the caption "U.S. AND CANADIAN OSE CALLING FOR NEW FAIR TRIAL IN ROSENBERG CASE. Mization. Action and the caption of the capti
	CICUS BRIEF IN THE ROSENBERG CASE" issued by

31. Mimeographed pledge card of subject organization.



## BULKY EXHIBIT

NATIONAL COMMITT JUSTICE IN THE R	
100-10711 (Title of	
Submitted by Special Agent	J. Harrington
Source from which obsined	
Address	
Purpose for which acquired	Investigation
Location of bulky exhibit	In cabinet with file
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made of	exhibit
List of co	ontents:

32. Photostatic copy of a handwritten note of 238 8th Street, N.E. Washington DC.

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(22) SEARCHED INCFESO SERIALIZED JAM FILED ON APR 2 4 100.1

#### BULKY EXHIBIT

**************************************	HE ROST BERG CASE	
	of case)	
Submitted by Special Agent	J. Harrington	•
Source from which obtained		
Address	•	
Purpose for which acquired	Investigation	
Location of bulky exhibit	In cabinet with file	
Estimated date of disposition	To be decided at conclusion of ca	.50
Ultimate disposition to be made of	f exhibitRetain	

## List of contents:

33. Photostatic copy of material obtained from Committee to Secure Justice in the Mosenberg Case entitled - Metired Army General Among Thousands Calling for New Trial for Rosenbergs.

(23) SEARCHEO NODEXED. SERIALIZED AND PILED S. MAY 1 2 1902 Language NEW YORK



# BULKY EXHIBIT

•	Date received
7!.	ATIONAL CONMITTEE TO SECURE
	ISTICE IN THE ROSTVEERG CASE
	100-107111-13
<del></del>	(Title of case)
Submitted by Special Agen	L. F. Schwartz
Source from which obtains	70
, ,	
Address	
Purpose for which acquire	i
Location of bulky exhibit	In cabiret with file
Estimated date of disposi	tionTo be decided at conclusion of case
Ultimate disposition to t	e made of exhibit Retain
	List of contents: Justice In Rosenberg Case. * Outros
Booklet To Secure	Justice In Rosenberg Case. * Out of

100-107111-SEARCHED INDEXED SERIALIZED 10 FILED 10 MAY 1 3 1952

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PD-141 (7-1-42)

## BULKY EXHIBIT

	MATIONAL CONTITTE JUSTICE IN THE RO	E TO SECURE SELBERG CASE	5/3/52
•	100-10711-1B		
	(Title of	case)	
Submitted by Spec	cial Agent	J. HARRINGTON	
Source from which	h obtained	See Serial	478
Address	• •••		<u> </u>
Purpose for which	h acquired	Investigation	
Location of bulky	y exhibit	In cabinet with f	ile
Estimated date of		To be decided at	conclusion of case
Ultimate disposit	tion to be made of e	Retain	
35. One copy e Pham Piec disc Lett On w			eet down and time on and by John Stone in the Rosenberg

| (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) | (05) |

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#### BULKY EXHIBIT

NATIONAL JUSTICE :	CONSTITUTE TO SECU IN THE ROSENBERG (	received 5/20/52
•	100-107111-18	
(	Title of case)	<del></del>
Submitted by Special Agent	J.Ha:	rrington
Source from which obtained_		· · · · · · · · · · · · · · · · · · ·
Purpose for which acquired	Invest	igation
Location of bulky exhibit		
		decided at conclusion of case
Ultimate disposition to be	made of exhibit	Retain
T	ist of contents:	
36. Material received from	above committee	"Statement of Purpose".

- Letter addressed to Dear Friend signed by William A. Reuben dated 11/21/5137.
- photostatic copies of material received from above committee (press release 1/3/52 "NEWLY-FORKED CONVITTEE CALLS FOR JUSTICE IN ROSENBERG CASE" Onecola described (12013 3))

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#### BULKY EXHIBIT

NATIONAL CONMITT JUSTICE IN THE	PEE TO SECURE  CSELEERG CASE
	7111-1B f case)
Submitted by Special Agent	J. harrington
Source from which obained	See Serial
Address	·
Purpose for which acquired	<u>Investigation</u>
Location of bulky exhibit	In cabinet with file
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made of	exhibit Retain
List of	contents:

- 39. Material received from above committee:
  - " Fund Appeal Brings wide Response: Rosenberg Committees in 25 Cities.
- 40. Material received from above committee:
  - \* Committee Will Appeal Against Police Interference with Efforts to Win New Trial In Rosenberg Sobell Case.

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100-107111-13	
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#### BULKY EXHIBIT

NATIONAL COLUM JUSTICE IN TH	Date received 5/21/52 ITTEE TO SECURE E ROSENBERG CASE
	07111-1B f case)
(titta o	I Case)
Submitted by Special Agent	J. Harrington
Source from which obsined	San Samial Land
Address	
Purpose for which acquired	Investigation
Location of bulky exhibit	In cabinet with file
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made of	
/	•
List of	contents:

- 41. Material received from above committee:
  - \* Ask New Attorney General to Facilitate Second Trial for Rosenbergs, Morton Sobell.\*

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## BULKY EXHIBIT

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214 WTO214 Y . CO	THITTEE TO SECTED EIVED	5/24/52
	THE ROSENBERG CASE	
100	-107111-1B	
(Titl	e of case)	
Submitted by Special Agent	J. Harrington	
Source from which obained		·
Address		
Purpose for which acquired	Investigation	
Location of bulky exhibit	In ashinat with 617	.e
Estimated date of disposition_	To be decided at co	nclusion of case
Ultimate disposition to be made	Retain	
List (	of contents:	
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# BULKY EXHIBIT

KATIONAL COLMITTEE JUSTICE IN THE BOS	
100-107111	-18
(Title of	case)
Submitted by Special Agent	J. Harrington
Source from which obsined	
Address	
Purpose for which acquired	Investigation \
Location of bulky exhibit	In cabinet with file
	To be decided at conclusion of ca
Estimated date of disposition  Ultimate disposition to be made of	exhibitRetain
List of c	

43. Laterial received from above committee titled "Far Rockaway to Hold Eeeting on Rosenberg Case April 29th.

(30) | 100-107/11-18 | SEARCHED | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107777 | 107

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## BULKY EXHIBIT

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#### BULKY EXHIBIT

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JUSTICE IN T	HE POSE PERG CASE	
·	107111-13	
(Title	of case)	
Submitted by Special Agent	J. Harrington	
Source from which obained	See Serial	76
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Location of bulky exhibit	In cabinet with fil	.e
Estimated date of disposition	To be decided at so	nclusion of case
Ultimate disposition to be made o	f exhibitReta	in
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## List of contents:

45. Enterial received from above committee titled "Retired army General among Thousands Calling for new Trial For Rosenbergs.





#### BULKY EXHIBIT

JUSTICE IN THE ROSE(BERG CASE  100-107111-1B  (Title of case)	
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Itimate disposition to be made of	

- Material received from above committee: 47.

  - (a) Pledge card
    (b) Amicus Brief in the Rosenberg Case
    (c) Press Release 6/12/52
    (d) A fact sheet on Anti-Semitism in the case: Lewspaper Comment.

(33) SEARCHED. SERIALIZED DA TUTO 131-00

#### BULKY EXHIBIT

NATIONAL COLMIT JUSTICE IN THE	TEE TO SECURE 6/19/52 ROSENBERG
	7111-1B of case)
Submitted by Special Agent	J. Harrington
Source from which obained	See Serial
Address	~
Purpose for which acquired	Investigation
Location of bulky exhibit	In cabinet with file
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made o	f exhibitRetain
List of	contents:

48. Material received from above committee:
Photostats of Anti-Semitic Propaganda in Rosenberg
Case to Be Given to all Attending June 17 meeting.
Religious, Civic Teaders to Speak.

SEARCHED MODIO SERIALIZED JUN 2 5 1952 fo. 13 W YORK

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FD-141 (7-1-48)

#### BULKY EXHIBIT

KATIONAL CONDITTE TO JUSTICE IN THE RO	Date received 6/20/52 SECURE SYNDERG CASE
100-1071	11-1B
(Title of	case)
Submitted by Special Agent	J. Harrington
Source from which obtained	
Address	
Purpose for which acquired	Investigation
Location of bulky exhibit	In cabinet with file
Estimated date of disposition	To be decided at conclusion of cas
Ultimate disposition to be made of	Retain exhibit
List of	<i>.</i>

49. Announcement of Public Meeting 6/24/52 "The Truth in the Rosenberg Case" Sponsored: National Committee to Secure Justice in the Rosenberg Case"

(35) 100-107111-SEARCHED... \_INDEXCO. SERIALIZED DOWN FILED 133

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FD-141 (T-1-48)

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		ve committee:  ipt of \$1:05 e are Innocent*.	D 11-16.
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(b) riec	s refease plylar s of paper = rece,	int of Elios	<b>J</b> ''
(c) The	r throw aways " he	e are Innocent". Dr	
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FD-141 (7-1-48)

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52. Katerial received from above committee:

"Women Seek Visit to Ethel Rosenberg in Death House on Occasion of Mother's  $\rm D_{ay} \sim 5/11/52$ 

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(Title o	f case)
Submitted by Special Agent	J. Harrington
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Purpose for which acquired	Investigation
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#### List of contents:

53. Material received from above committee:

"Anti-Smittes Call FRO LYMCHING OF ROSTABERGS THREATEN SUPREME COURT JUDGES IF MEN THUAL GRANTED \* Dated 5/15/52

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List of conte	ents:	
54. Pamphlet, petition and envelope f	urnished by	
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JUSTICE IN THE ROSDIB	ERG CASE
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Submitted by Special Agent	J. HARRINGTON
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Purpose for which acquired	Investigation
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## BULKY EXHIBIT

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100-107 (Title of	lll-IR case)
Submitted by Special Agent	J. Harrington
Source from which obained	See Serial
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Purpose for which acquired	Investigation
Location of bulky exhibit	In cabinet with file
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made of	
List of co	ontents:
6. Katerial received from above co	mmittee:

Two public meetings on the Rosenberg Case are scheduled for this week in Lanhattan.

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#### BULKY EXHIBIT

NATIONAL CONSITTEE JUSTICE IN THE	Date received 7/2/52 TO SECURE ROSEIBERG CASE
	07111-18 case)
Submitted by Special Agent	J. HARRINGTON
Source from which obained	See Serial
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Purpose for which acquired	· Investigation
Location of bulky exhibit	In cabinet with file
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made of	exhibitRetain
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List of co	ntents:
57. Laterial received from above co	Ommiltee:

10,000 AFFRICANS SIGN ROSEDBERG ARIGUS BRIEF IN SINGLE WEEK.

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#### BULKY EXHIBIT

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Purpose for which a	cquired	Investigation		•
Location of bulky e	xhibit	In cabinet with file	•	
Estimated date of d	lisposition	To be decided at conclusion	cf	çase
		of exhibitRetain		

58. Laterial received from above committee:

New Yorkers Leet at Manhattan Towers in Rally for New Trial in Mosenberg Cas.

(44) SEARCHED. ...INDEXED. SERIALIZED LA FILED TO JUL 9 1932 191-NET 1

#### BULKY EXHIBIT

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100-107	111-1B
(Title o	f case)
Submitted by Special Agent	J. Harrington
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Location of bulky exhibit	
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Material received from above committee:

THO NEW ROSEMBERG MEETINGS FOLLOW TREMEMBOUS OVERFLOW BROOKLYN RALLY.

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Purpose for which acquired	· Investigation
Location of bulky exhibit	In cabinet with file
Estimated date of disposition	To be decided at conclusion of case
Ultimate disposition to be made	
	contents:
laterial received from above	re committee:
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(Title	of case)
Submitted by Special Agent	See below
Source from which obained	See below
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Purpose for which acquired	Evidence and Information
Location of bulky exhibit	Vault
Estimated date of disposition	To be decided at conclusion of case.
Ultimate disposition to be made	of exhibit To be retained pending conclaion of
	contents:
Subm. 8-14- Sewspaper article entitled "Vulture TY Post, dtd. 6-19-52. Subm. 8-14-	by SA John Wilson Jr
one pamphlet printed in Yiddish.	eal for Your Support for Justice in the Subm., by SA Wilson
3-14-52. Printed flyer announcing a Public A	deeting for 6-24-52 at Manhattan Towers, NYC,
X Outen Bootey. Con activity	SEARCHED INDEXED INDEXED SERIALIZED & FILTO COMPANY  FBI - NEW YORK



Date received\_

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8-14-52

#### BULKY EXHIBIT

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100-107111-1B

(Title of	case)
Submitted by Special Agent	See below
Source from which obained	See below
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Purpose for which acquired	Evidence and Information
Location of bulky exhibit	Vault
Estimated date of disposition	To be decided at conclusion of case.
Ultimate disposition to be made of	exhibit To be retained pending concl. of case
List of c	ontents:
For the following five exhibits, see ser Pamphlet entitled "The Rosenberg Case 67. A press release dtd. 6-18-52, entitle	, a fact sheet". d "Brooklyn weets in verflow Rally at

69. A press release by Comm. &td. 6-12-52, to Secure Justice in the Rosenberg Case.
69. A Press release by Comm. dtd. 6-10-52, to Secure Justice in the Rosenberg Case.
70. A press release by Comm. dtd. 6-14-52, to Secure Justice in the Rosenberg Case.

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Biltmore in Rosenberg Case".

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25	Fact Sheet	1	٠	
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36	letter	1		
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40	Fish			
41	Inach			
42	Informant history		b1d	
43	Fred			
44	Exercted material		678	
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Exhibit Number	Description	Released	Denied	Withheld
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46	Booklet			
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Number	Description	Released	Denied	Withheld
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68	Press' release			
69	Press' release		,	
20	Press release	1		
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#### HERE IS WHAT YOU CAN DO:

- WRITS to President Truman
  and Attorney General J.
  Howard McGrath asking that
  the government consent to a
  reversal of the Rosenberg
  conviction, thus allowing for
  a new trial or discontinuance
  of their prosecution.
- URGE your Senators and

Congressman to make the foregoing request to the White House and the Department of Justice.

- DISTRIBUTE this pamphlet as widely as possible.
- BUPPORT the National Committee to Secure Justice in the Rosenberg Case,

2000 (10) 2000 (10) 2000 (10)

National Committee to Secure Justice in the Resembers Case 346 Fifth Avenue, New York 1, N. Y.

in the Rosenberg Case. Enclosed 8........................ to help bring the facts of the case to a wider sudience and to assure fundator legal needs. Please send me copies of all materials issued by the Committee. You may (may not) use my name in the Committee's work.

Please send me ..... copies of this pamphlet for distribution.

Olty ... grafagarates gagestes Zone ... geat Btate . carassaset

JUSTICE
in the
Rosenberg Case

By William Av Reuften

# FOREWORD

WHEN the death sentence was passed on Julius and Ethel Resemberg on April 15, 1951, for alleged atomic espionage for the Soviet Union, the American people were shocked and disturbed. There was widespread feeling that the unprecedented death sentence was savage. Never before in our history had a civil court imposed a death sentence for espionage, either in peace or war time.

The Rosenbergs have unswervingly asserted their innocence, have stated they are being victimized by the prosecution for their avowed political and social views, and have said, "We are victims of the grossest type of political frame-up known in America."

Most of the press assumed that justice had been done in the case. There were some exceptions, particularly the Jewish press, which expressed amazement at the cruelty of the death sentence.

But a full report of the case was not made available to the public until August, 1951, when the National Gurdian began to publish a series of articles by William A. Reuben. His revelations have confirmed the fears of many who had doubted the guilt of the Rosenbergs and convinced many others who had not followed the case originally. As a result of this series, the National Committee to Secure Justice in the Rosenberg Case was formed. As one of its first acts, the Committee is bringing out herewith in slightly abridged form the series by Mr. Reuben.

. We ask you to read it carefully—and judge for yourself.

NATIONAL COMMITTEE TO SECURE
JUSTICE IN THE ROSENBERG CASE



ETHEL AND JULIUS ROSENBERG Victims of a cold war Sacco-Vanzetti case?

## MUST THEY DIE?

Ry William A. Reuben

ON March 6, 1951, in a federal courtroom at Foley Square in New York City, this nation's first atom-bomb spy trial began, when the clerk-of-court solemnly intoned:

"The United States of America versus Julius Rosenberg, Ethel Rosenberg and Morton Sobell."

U.S. Atty. Irving Saypol announced that the government was ready.

Julius and Ethel Rosenberg were defended by Emanuel H. Bloch and his father, Alexander Bloch; Sobell was represented by Edward

M. Kuntz and Harold M. Phillips.

Nearly 300 talesmen were questioned before a jury of 12 plus four alternates could be seated. It is singular that in a city more than 30% Jewish in population, not a single talesman of Jewish extraction survived the day and a half of questioning before a jury was seated.

TRIAL BY PRESS: The government announced it would call 118 witnesses. Among them were to be top nuclear physicists Dr. J. Robert Oppenheimer and Dr. Harold C. Urey and Lieut. Gen. Leslie Groves, head of the war-time atomic bomb project.

""Undefinable tenschess pervaded the courtroom," wrote Meyer Berger, in the N.Y. Times, "The slience was extraordinary" as the trial got under way. To press and public, the question seemed to be not the guilt or innocence of the defendants; but whether or not they would be given the death penalty.

(Judge Kaufman himself, during questioning of one talesman. said it was for him alone to decide whether to impose death or a lesser penalty. The judge caught himself only after defense attorney Emanuel Bloch pointed out the jury's verdict might be for acquittal, making it unnecessary for the judge to impose any sentence at all.)

When the jury had been seated. U. S. Atty. Saypol opened in hushed tones, reading from a prepared statement. He described the defendants as "traitorous Americans" whose "love of communism and the Soviet Union" led them to deliver to the Russians

". . . the one weapon that might well " hold the key to the survival of this nation and the peace of the worldthe atom bomb."

Saypol promised to show that the loyalty and allegiance of the Rosenbergs and their co-defendant Morton Sobell was not to America but to

". . . communism in this country and communism throughout the world, under the dicintorship of the Soviet Union. . . . I do not consider it necessary in this opening statement to deal extensively on the plot that will be unfolded before you. . . . The testimony will come from witnesses who were there, who saw and heard what these defendants said and did aver a period of years to commit this crime."

CASE DEFLATES: Eight and a half court days later, the government rested its case (which it had announced beforehand would. take three months to present). Of the 118 government witnesses originally announced, only 20 were produced. Oppenheimer, Urey and Groves were never called, Of the

- Eight (including six imported from Mexico) testified as to details of the Sobell family's trip to Mexico, without in any way implicating either. Sobell or the Rosenbergs in the crime charged against them.
- Two army colonels testified to security measures at the Los Alamos" project' during the war. -
- A physicist employed as liaison-man by the Atomic Energy Commission explained a sketch David Greenglass drew in court concerning some of the components of the atom bomb.
- · Rosenberg's family doctor testified that Rosenberg had asked in behalf of a friend about inoculations necessary to enter Mexico.
- Ruth Greenglass' brother-ihlaw, Louis Abel, testified to hiding \$4,000 for David Greenglass and turning it over to his attorney, O. John Rogge, after Greenglass' arrest. .
- Ruth's sister (Mrs. Abel) testified that Julius Rosenberg had once asked her to leave the room during a visit to her sister.
- One witness identified a pho-

tograph of Soviet consular side Anatoli Yakovlev; named in the indictment as a defendant four years after he returned to the U.S.S.R. in Dec., 1946.

ENTER MISS BENTLEY: Of the remaining five witnesses, two were self-styled one time spy couriers-Elizabeth Bentley and Harry Gold. Neither had ever known or seen or been involved in any way with any of the defendants.

Gold gave lurid and surefire headline-creating testimony about how the spy ring operated. Miss Bentley, who now earns her livelihood as a paid government witness, said that membership in the Communist Party made it "implicit" to carry out orders from Moscow and that it

". . . only served the interests of Moscow, whether it be propagands, or esplonage or sabolage.

These two introduced a mysterious "Julius," unknown to either of them, whose name recurred in telephone conversations and in a password used in the spy plot.

NECK-SAVERS FILL THE BILL: The remaining three witnesses were Max Elitcher and the Greenglasses. Despite the prosecution's Rosenbergs. Yet, this is the "evipromises of 118 witnesses and overwhelming evidence to corroborate the case against the Rosenbergs, only these three offered any testimony purporting to incriminate them. The Greenglass' charg- ... es against Julius and Ethel Rosenberg, in-laws with whom they Greenglass a merciful 15-year

death, sentence in New Mexico, where he had been indicted but never brought to trial; and won-Ruth Greenglass complete freedom. Max Elitcher's "cooperation" with the FBI provided the government's entire case against. Morton Sobell as well as "corroborating evidence" against Julius Rosenberg: and allowed Elitcher, an electrical engineer and former classmate, of both Sobell and Rosenberg at the City College of New York, to escape a perjury. charge hanging over his head that could have sent him to jail for five years and ruined him professionally and economically for life.

To backstop the self-saving testimony of these three, the government produced two exhibits purporting to incriminate the Rosenbergs: (1) a Spanish Refugee Appeal collection can found in the Rosenberg apartment; and (2) a nominating petition signed in 1941 by Ethel Rosenberg for Peter Cacchione, successful Communist candidate for New York City Council (50,000 New Yorkers signed this petition). These were the only government exhibits which were directly linked to the dence" which U.S. Attorney Baypol had assured the jury

". . . will prove to you, not only beyand a reasonable doubt, but beyond any doubt, that . . . these defendants have committed the most serious erims which can be committed against the people of this country."

Because of the filmsiness of the were on the outs, won David government's case, the absence of any convincing proofs, documen- 5 sentence (eight years with good 'tary or circumstantial, the imbehavior) instead of a possible peachability of the three witnesses

Halling in the Sangaran of the Sangaran

con whom its case was based; the ... "the most serious crime" which host of peculiarities surrounding has landed them in the Death the arrest and the build-up of House at Sing Sing prison have to charges against Ethel and Julius do with committing espionage-or Rosenberg, it must be asked. Does with harboring radical ideas?

#### THE JURY NEVER KNEW THIS .:

THE most damning feature of the testimony of both Gold and Elizabeth Sentley—and, indeed, perhaps the most incriminating aspect of the government's entire case—was the introduction by them of a mysterious "Julius."

Gold testified that, in establishing contact with Greenglass in New Mexico, when he paid him \$500 after receiving information pertaining to atom bomb experiments going on at the secret Los Alamos Project, where Greenglass was stationed during the war, the code words he used were: "I come from Julius." Gold had in fact come from visiting Dr. Klaus Emil Julius Fuchs in Santa Fe.

Miss Bentley said that during 1942 and 1943 she received several telephone calls from a man whose voice she could not describe and whose identity she did not know, except that he was "someone who called himself Julius."

The government presented this evidence in the obvious expectation, which proved correct, that the jury would decide that this mysterious "Julius" was Julius Rosenberg.

But a startling fact, not introduced by the defense at the trial because it was not known to them, was contained in the New York Times of February 4, 1950. In reporting the arrest of the arch-conspirator of the "spy plot," Dr. Klaus Emil Julius Fuchs, the Times made this statement a full year before the "Julius" evidence was presented by the government in asking death for Julius Rosenberg:

"Dr. Fuchs, who is charged in London with unlawfully disclosing atomic secrets, was known to his friends here as 'Julius,'"

#### one whom the easy was tracked from TROUBLE has desire of VICE IMPROVEMENT & STREET

under arrest in the summer of 1950, charged with atomic spying, the story of the life of Ethel and Julius Rosenberg was probably very like that of thousands of young New York couples.

A few months after his graduation from C.C.N.Y. in 1939, Julius married Ethel Greenglass, a kovernment secretary who had stud- .: Emerson Radio at:\$77 a week, but ied piano and voice. Ethel had a job as a clerk-typist with the Census Bureau in Washington and the couple went there to live for a short time. But Julius soon got a job as junior engineer with to the U.S. Signal Corps in New York, and Ethel quit her Washington 10b to join him. They were very deeply in love.

After living with in-laws and in furnished rooms for a time. they found an apartment in Knickerbocker Village housing project in 1942. As soon as they. were settled they had their first baby-a boy, now aged 8.

Julius lost track of his CCNY friends for the most part. He ran into two of them, Morton Sobell and Max Elitcher, at a swimming pool in Washington, D.C., when he was assigned to the Bureau of Standards in 1940. In 1944, on a Signal Corps assignment, he visited Elitcher again but couldn't locate 85bell this time. In 1945 he lost his Signal Corps job on charges of Communist Party affiliation (which he denied, but to no

UNTIL they found themselves effect). He then went to Washing ton again to see his Congressman to try and get a clearance; he again visited the Elitchers, roder around Washington with them. trying to locate the Congressman and some union people, then went

> When Julius lost his Signal 'Corps tob he landed one with povertime provided a hike in pay over the government, job. He was laid off toward the end of 1945. Thereupon he and one of Ethel's brothers' went "into the surplus business with another fellow. When Ethel's other brother, David Greenglass, got out of the Army in 1946, they took him into the nartnership and changed the name to the G. & R. Engineering Co. In '47 they reorganized the firm, took a \$15,000 investor, David Schein, and became the Pitt Machine Products Co. Inc.

David. Greenglass, the "baby" of the family, was a special favorite of his sister, Ethel. David's wife, Ruth, was friendly with the Rosenbergs too. When the couples got together, they talked about the war among other things, Julius being a staunch advocate of a second front. When David went off to an army camp, Ethel wrote the family letters to him for their mother, who couldn't write English well.

DAVID IN TROUBLE: One day

in 1945, while David was stationed then, of course, Julius knew that she was living with her sister. She that sort of thing and to stay out of trouble. Julius thought at the time it was some sort of blackmarket business, and told Ethel about it when he got home.

When David came back from service the two men never discussed this affair: Julius didn't know' whether Ruth had told David about telling him of it. By



DAVID GREENGLASS Saving his own skin?

in New Mexico, Ruth called Julius David had been assigned to the and asked him to visit her where. atomic project in:Los Alamos as a machinist, but did not connect the whispered to Julius to get her two circumstances. As partners in sister to leave the room, then told the business, the personal relahim she was worried about David. .tions of David and Julius wors-He had some idea of stealing ened with its declining fortunes. something from the Army and The upshot was that in 1949 David selling it, she said. Julius told her pulled out as a partner and Julius to advise David to steer clear of agreed to pay him \$1,000 after some other obligations of the firm had been met.

> From then on they were scarcely on speaking terms; the \$1,000 went unpaid; David and Ruth kept trying to collect it, but Julius didn't have it. (Finally the Greenglasses instructed their lawyer to bring suit for the money.) Once David even aimed a punch at Julius. After that the couples avoided one another except at family gatherings.

But then, in the middle of May, 1950. David came to the Pitt Machine Shop and told Julius he had to talk to him privately. The two men went across the street to Hamilton Fish Park. There in a very excited and agitated condition, David asked Julius for \$2,000. Julius told David he didn't have that kind of money and had noway of getting it. He pointed out further that he owed David only \$1,000. David then asked Julius to try to get him a certificate for a small-pox vaccination and to find out the type of injections needed to enter Mexico. Julius wondered if David was in some kind of trouble, but David refused to discuss his reasons for needing the comoney or the certificate, the comments

"HELP DAVEY": During the talk David had become very agitated and that hight Julius told Ethel about the incident. Both of them recalled the conversation in 1945 with Ruth Greenglass about David of it himself. having ideas of stealing some things from the Army. They both remembered also David having mentioned casually that in February, shortly after Dr. Klaus-Fuchs was arrested on spying charges, he (David) had been' questioned by FBI agents. The Rosenbergs suspected that David was in trouble of some sort, but they thought it probably had to do with stealing gasoline or perhaps uranium from Los Alamos.

Mainly because of Ethel's saying. "Julie, we ought to try to help!" Davey." Julius on his regular trip to the doctor's for nay-fever shots a few nights later asked his doctor if it was possible to give a certificate of having had shots to someone who never had them. The doctor said that would be impos-

aible, and a few days later Julius went to the Greenglasses' apartment and told David what the doctor said. David told Julius to forget it that he would take care

"YOU'LL BE SORRY": During the first week of June. David telephoned Julius at work to say no must talk to him again. On his way to work next morning. Julius stopped off at the Greenglass apartment and then the two men went outside and walked toward East River Drive. During their walk. David again said that he had to have \$2,000 in cash and this time he asked Julius to borrow it for him, either from relatives or the business.

Julius again told David it was impossible to get the money. David became angry and threat-

"Well, Julie, I've just got to have that money and if you don't get me that money you are going to be

ON MAY 22, 1950, Ruth Greenglass left a N.Y. hospital where six days previously she had given birth to her second child. She returned with the baby to her ex-GI husband, David, at their apartment at 266 Stanton. Street on the city's lower East, War II. Bide.

courier named Harry Gold had been arested in Philadelphia by the FBI in connection with an alleged apy ring centering around Dr. Klaus Emil Julius Fuchs, German-born British scientist stationed at Los Alamos during World

AN OLD ACQUAINTANCE: Five Next morning, May 23, the news- | years earlier, according to the papers headlined a story that's trial testimony, on a Sunday brought consternation to the new morning the first week in June, parents: An alleged Soviet apy 1945, this same Gold, whose pho-

tograph was now on front pages throughout the country, had visited the apartment of 20-year-old Ruth and 23-year-old Sgt. David. Greenglass in Albuquerque, N.M. He produced a torn half of a Jello box matching one that they had in their possession. Gold had first visited Dr. Klaus ("Julius") Fuchs at Santa Fe. He introduced himself to the Greenglasses with the passwords: "I come from Julius." and asked for certain written information pertaining to a secret lens mold used in the manufacture of the atom bomb. David Greenglass produced the requested material, handed it over to Gold. and received \$500.

In February, 1950—three months before the papers announced Gold's arrest and a few days after Fuchs' arrest in London-FBI agents had come to the Greenglass apartment in New York to question David about his duties and activities at Los Alamos, Ruth was present. The FBI made no move to arrest Greenglass at that

Four months later, on June 15. Greenglass was home preparing formula for their new child. Their three-year-old child was there. too, Ruth Greenglass had badly burned herself a few days earlier and was in a hospital for treatment, There. was a knock on the... door. The young father answered it. Four FBI agents walked in. They told him he was under arrest on charges of committing espion-

The FBI agents stayed in Greenglass' apartment for

514 hours, until 7:80 that night. They questioned him and made a thorough search of the apartment. In going through a trunk of old letters and papers, one of the agents picked out a sheaf of. mathematical notes, brought them over to Greenglass and said:

"What's this, some of your 'atom bomb secrets?"

"No." Greenglass replied. "That's just some of my brother-in-law's math notes from college."

This — according to the government testimony at the trial-is how Julius Rosenberg's name first came into the case.

THE HIDDEN ,\$4,000: David Greenglass was taken to FBI headquarters and questioned until the early hours of the next morning. Finally he was allowed to telephone another brother-inlaw, Louis Abel, to whom he had previously given \$4,000 to hold for him. Greenglass asked Abel to retain O. John Rogge, one-time Asst. U.S. Attorney General under Tom Clark.

Later that morning, Abel went to the Rogge law firm and turned over the \$4,000. Rogge appeared age for the Soviets during the war.; at the arraignment that afternoon, protested his client's innocence and asked for lowered bail. In opposing Rogge's demands, U.S.

Attorney Irving Saypol demanded that Greenglass be held in \$100,000 bail and had him placed in solltary confinement.

That same day the FBI paid its first visit to Julius Rosenberg, whose college notes of 12 years earlier had been found in the Greenglass apartment. The FBI men said they wanted to talk to Julius about his brother-in-law, David Greenglass. Julius accompanied them to the Federal Bldg. in Foley Square, and for about three hours they asked him questions about David, pressing him for specific dates about David's visits to New York on furlough during the war.

Through them, Julius learned that David had been arrested the day before and had, they said, confessed to stealing atomic secrets for the Soviet Union. Then, after they had been asking him questions about David for three hours, one of the FBI men said.

"Dave said you told him to supply information for Russia."

Rosenberg asked to be allowed to confront Greenglass to hear these "foolish accusations" from his own lips. The FBI agents ignored his request. Rosenberg then demanded and got permission to consult a lawyer. He telephoned his union's law firm. They asked whether he was under arrest. When Rosenberg said no, they told him to "put on your hat; and walk out," which he did, ...

"SOMEBODY MORE IMPOR-TANT:" The same day, other FBI agents went to the hospital to question. Ruth. Greenglass. No

testimony on this interview was no ever introduced: (The government di put no FBI agents on the witness (w) stand-an indication that they might have proven extremely vulnerable to defense questions deal ing with the interrogations and "contessions" made by certain key witnesses.) But when Ruth Greenglass left the hospital two days later she had an immediate consultation in her home with attorney Rogge, She said that her. husband had had dealings with Gold, that it was she who had deposited the \$500, and that she had been present the previous February throughout an FBI interview with her husband. She

"I thought the FBI was leading tosomebody other than my husband. that they wanted somebody much more important than he."



RUTH GREENGLASS She chose freedom

Rogge than "outlined the different courses that could be taken."

On July 6 in New Mexico, a federal grand jury handed down a four-count espionage indictment against David Greenglass. The charges against him, based on sworn information given to the grand jury by nine persons, including four FBI agents, were that "on about June 3, 1945, in Albuquerque" David Greenglass had:

(1) Met and conferred with Harry Gold; (2) Received \$500 from Gold; (5) Prepared a sketch of a "high ex-Plosive iens mold"; (4) Prepared a statement concerning the Ler Alamon Droket.

The grand jury charged that Greenglass had delivered these atomic secrets to Gold and to Anatoli Yakovlev "for transmis-." sion to the U.S.S.R." For conviction on any one of these overt acts David Greenglass faced the death penalty.

"THE GENERAL SITUATION": The day following the indictment' the federal commissioner in New ¿ York ordered Greenglass' immediate removal to New Mexico: but Rogge asked for a week's delay. A week later, on July 13, Rogge secured another postponement. U.S. Attorney Saypol approved the delay. He explained:

"I do not feel it appropriate to state publicly the aubstance of discussions which have been going on, but I acquiesce in this application for adjournment."

In its account of these proceedings, the N.Y. Dally Mirror reported: c

The court appearance followed the latest of a series of canterences between Bugge and Saypol, Rogge said

he has been talking with both his ellent and Saypel and wenid like to have "several more talks with my client here before removal proceedlage are held." His talks with the accused spy, he said, have been about "the general situation,"

SAYPOL CONFERS: .in mid-July, Ruth Greenglass, after her first interrogation by the FBI on June 16 and her initial consultation with Rogge, met with Saypol, members of his staff, FBl agents and her husband for three days in a row. The conference had been arranged by Rogge. These conferences with Ruth Greenglass culminated with her signing a statement in which she implicated the Rosenbergs.

On July 17 the FBI placed Julius Rosenberg under arrest, with an announcement, issued jointly from Washington by J. Edgar Hoover and J. Howard Mc-Grath, charging him with having recruited his brother-in-law. David Greenglass, into a Russian spy ring "early in 1945."

FREE ON A "HUNCH": Thus, in one-month, what started with an' PBI agent's chance question about Julius Rosenberg's college math notes had been shaped up to provide a political sensation. In police parlance the "atomic plot" involved was a "closed case" before Rosenberg was brought into it. All the accused participants had confessed. The chief one, Dr. Klaus Emil Julius Fuchs, British-employed German scientist stationed at Los Alamos project during the war, was already serving time in England (and still works for the British government).

His motive: Fuchs said: was misdirected idealism. Three of his four alleged accomplices in America had no political idealism, only a cash motive; the fourth Harry Gold, was an anti-left-wing adventurer.

Thus the government was deprived of a political culprit in the plot; and the case was on the point of being quietly and unsenastionally concluded when Julius Rosenberg was suddenly brought into it. For, in arresting Rosenberg, the government was able to stress the fact that in 1945 he was discharged from government em-

in the court of the settle of ploy on charges that he was a member of the Communist Party. · Ruth Greenglass hunch-that the "government", was seeking "somebody much more important" than the Greenglasses—proved

Today, as the Rosenbergs sit in the Death House at Sing Sing prison, parted from their two children, their accuser, Ruth Greenglass, a self-labeled spy, is free with her two children. Her husband, David, saved from trial for his life in New Mexico, will be free in eight years, with good behavior.

## EVIDENCE" AND HOW IT GREW

GEN. BURGOYNE: ". . . The cooner he is hanged, the better."

AIDE: "We have arranged it for 12 o'clock. Nothing remains to be Communist Party membership in done except to try him."

-Shaw's "Devil's Disciple"

No spite of the red-scare headlines resulting from the announcement of the Rosenbergs' arrest, the government still had to make a case against the Rosenbergs.

signed to check on the friends, neighbors, business associates etc. of the young progressive couple. For Julius' college mates at CCNY there was a special going-over.

Among these were found two, both of whom were employed by the Reeves Instrument Co. in New York, who were made to measure

for FBI purposes. One, an electrical engineer named Max Elitcher, had failed to report applying for a government job. had eventually quit the job for fear this would be disclosed, and could still be prosecuted for perjury-meaning a possible five-year sentence and ruin. The other, who lived back-to-back with Elitcher in Queens, L.I., had recently (June 21, 1950) taken his family to Scores of FBI agents were as- ' Mexico for the summer. His name was Morton Sobell, and he was alleged to have once been a member of the Young Communist League.

> The FBI first interviewed Elitoher on July 20, three days after Julius Rosenberg's sensationally publicized arrest. He was told they had information he was involved

in espionage. After several hours' questioning he asked to go home and consult his wife. The FBI went with him, Mrs. Elitcher was at home with her two children, a four-year-old and a new baby,

Within 12 hours Elitcher had signed a statement implicating Julius Rosenberg. He then made a beeline for the law office of O. John Rogge who was already representing the Greenglasses.

The statement Elitcher signed for the FBI said that on two visits to his home in Washington during the war Rosenberg had asked him to spy for the U.S.R. but that he had never done so.

KIDNAPING PARTY: On Aug. 31 prosecutor Irving Saypol got a scaled warrant for the arrest of Sobell. It charged him with five "overt acts," all of which were identical; having "had conversa-



MORTON SOBELL Sentenced to 30 years on no evidence

tions with Julius Rosenberg over a two and a half year period, at six month intervals. On Aug. 16 ten armed men broke into the Sobell apartment in Mexico City, blackjacked him, dumped him into one car of a five-car caravan and drove three days and nights until they reached the U.S. border. There, waiting FBI agents arrested Sobell and took him to New York where he was arraigned Aug. 25 and held in \$100,000 bail.

There was still no case against Sobell, except that the Sobells and the Rosenbergs had visited each other from time to time and Sobell had "fled" to Mexico (There is no evidence that he was up to anything more incriminating than a vacation. The known facts: his home in Queens was not even sublet; he and his family had booked air passage, rented their Mexico City apartment, in their own names in an apparently normal way.)

FUEL FOR THE BONFIRE: But there, too, Sobell's classmate and neighbor Elitcher came in handy for the FBI. Although in his first two statements (July 20 and 21) Elitcher did not mention Sobell, he finally signed a third state-ment in October, according to hisown testimony, which quoted Rosenberg as saying: "Sobell is also in this."

(Sobell was indicted on Oct. 10, stood trial with the Rosenbergs, was found guilty and sentenced to 30 years in prison. No overt acts were charged against him, his conviction depended solely on Elitcher's testimony. Sobell's at-

torneys called no witnesses nor did Sobell testify in his own defense, in the belief that the jury would reject the unsupported testimony of Elitcher in the face of no government allegations of overt acts. His case, like that of the Rosenbergs, has been appealed.)

Whether or not the government, in kidnaping and arresting Sobell, had any genuine expectation of convicting him, hauling him in helped add fuel to the red-spy bonfire being built up around the Rosenbergs.

MRS. ROSENBERG ARRESTED: 'Prior to Sobell's kidnaping and arrest, Ethel Rosenberg had been twice called before the federal grand jury. Questioned mainly about her and her husband's political beliefs, she refused answers on constitutional grounds and on Aug. 11, as she left the grand jury room, she too was placed under arrest.

On Aug. 17, the day before Sobell's arrest on the Mexican border, the first indictment in the case was handed down. It charged Ethel and Julius Rosenberg with having conspired to transmit atomic secrets to the Soviet Union. Indicted with them was Anatoli Yakoviev, departed Soviet consular official accused as recipient of the secrets. Named as co-conspirators but not as defendants were Harry Gold and David and Ruth Greenglass. Sobell was not mentioned.

The N.Y. Times noted:

This was the first time that the :Government had brought Mrs. Green-giass into the case, . . . . U.S. At-

torney Irving Saypel mid the grand jury had directed that she not be prosecuted. Thus it was indicated that she was cooperating in the investigation and might turn Government witness.

KNOW-HOW AT WORK: The Times noted that the indictment listed eleven "overt acts," among them charges that on Nov. 15, 1944, the Rosenbergs conferred with Ruth Greenglass and five days after gave her \$500 to go to New Mexico to visit her husband. Another charged Rosenberg with visiting Mrs. Greenglass in N. Y. on Dec. 10, 1944, and receiving information from her.

These notations in the Times story of the first indictments indicate how the government's case began to shape up through FBI know-how.

As a first example, the charge against Rosenberg on July 17 when he was arrested dated his alleged activities from "early in 1945." The Aug. 17 indictment charged "overt acts" dating back to Nov. 15, 1944, to cover new allegations; by Ruth Greeenglass.

A NEW OVERT ACT: On Oct. 10, a new indictment was returned, naming David Greenglass as a defendant in N.Y. (he had already been indicted in New-Mexico back in July) and also Sobell in addition to the Rosenbergs and Yakovlev.

On Oct. 19 Greenglass pleaded guilty to the N.Y. indictment and his attorney, O. John Rogge, veluntered the following for him:

"My client is not absolutely precise about every date mentioned in the indictment, but he is ready to give his statement of what transpired, as

he recalls the events."

The third and final indictment was returned on Jan. 31, 1951. a few days before the trial was scheduled to get under way. This indictment (as noted again in the Times)

. . extends the conspiracy to June 6, 1944. . . . One overt act has been added. ... It charges Rosenberg with visiting 247 Delaware Av., Washington [Eittcher's apartment], on June 4, 1944,

HOW IT GREW: This chronology. when co-related with U.S. Atty. Saypol's statements and with the testimony given in the courtroom, makes it apparent that:

• On July 17, Julius Rosenberg's arrest was warranted on no other basis than oral allegations about him made to the federal authorities by his in-laws. Ruth and David Greenglass.

• The arrest of Ethel Rosenberg on Aug. 11, and the indictment of Ethel and Julius on Aug. 17: were based entirely on the same oral unsupported allegations.

The kidnaping and arrest of ...

Morton Sobell on Aug. 18 were warranted by nothing except his suspected political beliefs and his being "over the border" when the FBI sought him out-as they did every one of Rosenberg's CCNY classmates and acquaintances.

- Sobeli's indictment on Oct. 10 was based on his involvement by Max Elitcher, Sobell's former college room-mate and next-door neighbor under threat of prosecution for perjury.
- The final indictment, on Jan. 31, 1951, contains the first indication of any incriminating allegations given to federal authorities about Julius Rosenberg by Elitcher.

JUSTICE: Thus the case against the Rosenbergs; which prought death sentences for them, was built entirely by the Greenglasses -both self-labeled spies-and by Elitcher, whose testimony saved him from a 5-year perjury rap and professional ruin.

# THE ROSENBERGS TAKE THE STAND

N. Mar. 21, 1951, eight months charges of spying for the U.S.S.R. Julius Rosenberg took the witness stand. During the sight ceaseless propaganda barrage designed to convince them of the certain guilt of the 33-year-old wife, Ethel.

The Greenglasses' portrayal had after he was arrested on Rosenberg being furnished by the Russians with unlimited financial resources to recruit other spies: to establish contacts with scientists months the American public had, in government agencies and key been bombarded with a well-nigh, defense plants; to spend \$50-75 every night for entertaining; to subsidize the college education of likely espionage prospects; and to Rosenberg and his 35-year-old furnish his confederates with large sums of money to flee this

As a token of their apprecia- ernment when while Rosenbergs tion for his service, "the Rus- were arrested); instead, a photosians," according to the Green- graph of a table was introduced glasses, had given Rosenberg a in evidence that was "like" the citation which entitled him to special privileges; watches for himself and his wife; and a console table containing a hidden compartment for microfilming secret documents.

Notwithstanding the intrigue, mystery, excitement, drama and real-life whodunit qualities of the government's portrayal of Rosenberg, there was just one factor missing: not a shred of 't could be supported by even a scintilla of evidence. Nor was any evidence offered even to try to support it.

If these headline-seeking allegations about Julius Rosenberg were indeed factual, it would seem that the government surely could have produced some evidence or testimony that:

• He was known to other members of the A-bomb sny ring.

 He had "important contacta" in defense plants and government 六 agencies.

• He was a big spender in night clubs and restaurants.

• He consorted with Russian nationals.

• He had subsidized students college education.

THE "RUSSIAN" TABLE: The government's avoidance of any attempt to prove its headline allegations was almost too crude. The console table, which ostensibly contained a secret compartment. was not even produced in court

country and find eventual haven : (although an apparently normal) "behind the Iron Curtain." table was impounded by the govone allegedly supplied "by the Russians." (The Rosenbergs said they bought theirs at a Macy's sale for \$21.)

> Significantly, none of these headline allegations was included in the indictment on which the Rosenbergs were brought to trial.

The 12 "overt acts" charge that. as part of a conspiracy to transmit A-bomb and other secret information to the U.S.S.R.:

(1) In June, 1944, Julius vielted the home of a classmate, Max Elitcher, in Washington, D. C.

(2) On Nov. 15, 1844, Julius and Ethel "conferred with" Ruth Greengjass.

(3) On Nov. 20, 1944, Julius gave Ruth Greenglass a sum of money (J. Edgar Hoover's announcement said it was \$500; in court (t became \$150.)

(4) On Nov. 20, 1944, Ruth Greengluss boarded a train for New Mexico. (5) On Dec. 10, 1844, Julius visited the Greenglass apartment at 266 Stanton St., N. Y. C.

(6) On Dec. 10, 1944, Julius received from Ruth Greenglass a plece. of paper containing written information.

(7) On Jan. 5, 1945, Julius and Ethel "conferred with" the Greenglunnes.

(8) On Jan. 5, 1945, Julius gave Ruth Greenglass a torn half of a jello bux.

(9) On Jan. 10, 1945, Julius Introduced David Greenglass to a man on First Avenue, N. Y. C.

(10) On Jan. 12, 1945, Julius "conforred with" David Orecoglass.

(11) On Jan. 12, 1945, Julius received from Buyld Breenglass a paper containing aketenes of experiments conducted at the Los Alanios project.

(12) On Jan. 14, 1945, David Green-

glass boarded a train for New Mexico. Of these 12 "overt acts," Rosenberg, when he took the stand, denied four as outright falsehoods. He said he never gave Ruth Greenglass any sum of money, and never received any written information from her or any sketches from David Greenglass. He denied giving Ruth a torn half of a tello box or introducing David to "a man" on First Ave. This man, according to Greenglass' testimony, was "a Russian," whose name, dress and description Greenglass was unable to recall when pressed to do so by Rosenberg's attorney, Emanuel Bloch.

Rosenberg did not challenge the other "overt acta" listed in the indictment; he did, however, challenge and deny on oath the import of these acts as alleged by the uncorroborated testimony of witnesses whose accusations against the Rosenbergs saved their own hides.

CASUAL CLASSMATES: The meeting in Elitcher's home in Washington in June, 1944, the only testimony purporting to corroborate the Greenglass portrayal of Rosenberg as a master spy who toured the country recruiting espionage prospects, defies credulity as it was described by Elitcher.

Here is how "master-spy" Julius Rosenberg proceeded to "recruit" his former classmate into his espionage net; according to El2 itcher's sworn testimony:

"He came over after supper and my wife was there and we had a casual conversation. After that he asked if



MAX ELITCHER

The FBI put a squeeze on him

my wife would leave the room, that he wanted to speak to me in private, she did and then he said to me—he talked to me first about the job that the Soviet Union was doing in the war effort and how at present a good deal of military information was being dealed them by some laterests in the U.S., and because of that, their effort was being impeded."

Then, according to Elitcher, Rosenberg asked him whether, in his job with the Navy's Ordnance Bureau, he had access to secret information and! whether he would turn it over. (Elitcher said he neither accepted nor rejected the offer; but under cross-examination he admitted that he neverturned over to Rosenberg any material, secret, classified, confidential or otherwise.)

Rosenberg's account of this meeting is considerably different. He said that when he was in Washington in 1940, while his

wife was working in the government's census bureau, he bumped into two former classmates, Morton Sobeli and Max Elitcher, at a swimming pool. (Elitcher hadn't recalled this encounter.) Four years later, Rosenberg testified, he was sent to Washington on a Signal Corps assignment. After being in the city for three days, he became lonely and attempted to look up Sobell and Elitcher. He said Sobell's name was not listed in the Washington telephone directory, but Elitcher's was.

Rosenberg testified that, after he had been at the Elitchers' home for a short time, Mrs. Elitcher did leave the room. But, instead of being sent out by him so that he could make spy overtures to her husband (as Elitcher claimed), she left the two men alone for a mission as prosaic as washing the supper dishes. He saw Elitcher & year and a half later in Washington, and a third time in New York in 1946. He denied categorically any "spy" talk with Elitcher on any of these occasions; their encounters were no more than gettogethers of old classmates.

However, Rosenberg agreed readily that he had talked about the war effort, about the opening of the second front, about the Boviet Union's military and economic gains, and his freely-expressed view that the Russians had

destroying the Hitler beast who killed six million of my co-religionsta, and deel emotional about that thing."

The three meetings with the Greenglasses that are listed among

the "overt acts" as sinister implementations of a spy plot did indeed take blace. Rosenberg testified. But, instead of the intriguing conversations that the Greenglasses ascribed to the meetings. Rosenberg said that one of them was at a family gathering when David first returned to New York on an army furlough: another occurred at his mother-in-. law's, when he saw and talked to Ruth Greenglass after her return from a five-day visit to her husband in Nov. 1944; and the third was at the Rosenbergs, apartment, where the Green-, glasses had been invited to dinner (similar invitations had been extended to David and Ruth by all the relatives who attended the family dinner welcoming the army sergeant home for furlough).

comment and the new properties consider

At these meetings, Rosenberg-testified, he discussed nothing more sinister than their children, work, the progress of the war, and politics, in which Rosenberg voiced the opinion that the Soviet Union was still bearing the "heaviest load" of repelling the German Army, and that a second front should have been opened sooner.

What gives the clearest hint that the Rosenbergs are victims of a political frame-up is that the 12 "overt acts" listed in the indictment all occur during the sixmonth period preceding Julius' dismissal from his Signal Corps job on charges that he was a Communist Party member—a, period during which he surely must have been under investigation.

Southern beid graden brauen gebitt be bes

"lowed her misband on the stand, schooled own a portable typewriter; also deriled categorically the that she carned her living as . Greenglasses' accusations purport- "typist before her marriage; that ing to link her to the espionage plot as Julius' assistant and moral glasses for her mother, "who supporter. The Greenglasses accused Ethel of typing up A-bomb notes which allegedly were given to Julius by David; writing letters to the Greenglasses when they were living in Albuquerque, N. M. and allegedly giving them instructions for meeting a courier); and being present at several of the meetings which the Rosenbergs insisted were family or social gatherings. No letters, notes or any other corroboration of these accusations were produced. he was a Communist.

· 整配性电影 (1) 电对加强性 医自动病 (1) 电流电流 Ethel Rosenberg, when the fol- "Ribel Rosenberg testified that she corresponded with t! ) Greendoesn't write English very well"; that she did some volunteer typing for the ladies auxiliary of her husband's union. Federation of Architects. Engineers, Chemists and Technicians, CIO, and, during the war, for the Office of Civilian Defense. Apart from these typing activities, she admitted to typing nothing more "incriminating" than her husband's denial of the government's allegations in severing his employment on the charge

## 'A FAIR AND IMPARTIAL TRIAL"?

WHEN TESTIMONY had been completed in the trial last March, and just before the summation and the judge's charge, attorney Alexander Bloch addressed Judge Irving Kaufman with the following motion:

"I move for a mistrial upon the ground that the frequent questioning by the Court ... of witnesses, especlaily the defendants, had a tendency of unduly influencing the jury to the prejudice of the defendants and depriving them of their constitutional right to a fair and impartial trial."

Judge Kaufman indignantly brushed the motion aside and challenged the defense's sincerity . in making it.

A selection of examples of what

the defense motion referred to follow. The reader should judge them while remembering that the case against the Rosenbergs as presented in the "overt acts" was clearly not sufficient to win a conviction unless the couple could be indelibly smeared before the jury as Communists and "Russia Firsters."

THE FACT THAT WASN'T: When the Government called its first witness. Max Elitcher, Judge Kaufman interrupted the prosecutor's direct examination of the witness to address the jury as .. follows:

"I want you to understand right at the outset that THE FACT THAT THEY [the defendants] WERE MEM-

[emphasis ours] does not establish the elements necessary to prove them guilty of the crime charged in this Indictment, which is conspiracy to commit espionage. However I am admitting this testimony on the theory of motive, but the Government will have to establish that there is some connection between Communism and committing the oftense charged in the indiciment."

There had been no evidence up to this point that the Rosenbergs were Communists, yet the judge referred to this as a "fact." The only "fact" then in existence bearing on this point was Julius Rosenberg's denial of Communist affiliations in seeking to regain his Signal Corps job in 1945.

Thus Judge Kaufman, in the apparent act of counseling the jury on how to judge the evidence. committed the first act of implanting the defendants' "Communism" in the jury's minds.

ON THE HONOR OF BENTLEY: Later. When the Government brought Elizabeth Bentley to the stand to offer her now-familiar testimony that all Communists are spies for Moscow, the judge pointed out to the jury that this testimony was what he had i-ferred to in his foregoing statement about the connection between because of animosities which had Communism and espionage.

THE COURT: "I assume that this is the causal connection that we have been talking about between membership in the party and intending to give an advantage to a foreign government, to wit, the U. S. S. R. as charged in the indict-

The judge then explained the import of Bentley's testimony to the jury, in a way which amount-

ed to little more than his earlier comment spelled backwards:

THE COURT: "The purpose for which this testimony was taken . . . is to show a link, as the Government contends: exists between aiding Russia . . . and being members of the Communist Party. . . . ".

When it became the defense's turn, Judge Kau man was openly antagonistic. At the beginning of his cross examination of the government's first witness, Atty. E. H. Bloch sought to question Elitcher about the circumstances that he, a government witness, was represented by the same lawyer, O. John Rogge, as two defendents in the indictment, David and Ruth Greenglass, Prosecutor Irving Saypol objected.

SAYPOL! "Will your honor let me state on the record my objections? I think the cross-examination to taking a turn which is wholly unfair to the prosecution. First there is an implication that the U.S. Government recommends laws:12 224 witnesses to defendants."

THE COURT (sustaining the objection): "Well, you had better bo prepared, Mr. Saypol, for many, many more implications by the defense in this frial. . . . "

A basic defense contention was that the Greenglasses, to save their own necks, had implicated the Rosenbergs under FBI urging grown up between the couples in 1949-50 over business differences. Greenglass admitted the lifferences but insisted he and Rosenberg had remained "good friends."

Q. (by E. H. Bloch): "Did you ever come to blows with Julius?"

A. (by David Greenglass): "No. I didn't."

Q: "Do you remember an incident when you were sitting in the corner candy store at Houston St. and Av. D

when your brother Bernie had to separate the both of your life in the COURT: Subsequent to that, had you patched things up?" A: "Certainty. We were very triend."

"ly after that." "The Greenglasses' testimony, in an effort to connect family gatherings with the Rosenbergs to the alleged spy plot, freely tossed off ... names of guests etc. as persons connected with Julius in esplonage. activity. (None of these persons was called as a witness or named in any indictment.) One such person, a neighbor of the Rosenbergs was allegedly first pointed out to Greenglass by Rosenberg as a person who would contact him in New Mexico for information. Later they met socially but' Greenglass could testify to no discussion of espionage matters. Rosenberg testified that the woman and her husband had been merely dinner guests at a homecoming for David Greenglass.

berg about the dinner party:

dission with Ann Siderovich or her husband at any time with respect to getting any information relating to the national defense of this coun-

A: "I did not."
THE COURT: "Did you ever discuss with Ann Bidorovich the respective preferences of economic systems between Russia and the U.S.?"

Rosenberg replied that "in my normal social intercourse with my friends we discussed matters like that." Atty. Bloch, to offset the implications of the judge's interpulsion, elicited from Rosenberg the statement that he would fight for this country in a war with any other country, Again Kaufman interrupted:

THE COURT: "Do you approve the communistic system of Russia over the cupitalistic system of this country?"

man and her husband had been 'DEATH FOR TYPISTS: The folmerely dinner guests at a homelowing prejudicial court tactics coming for David Greenglass, occurred at one of the most im-Attorney Bloch questioned Rosen-portant junctures of the trial,



FBI CHIEF HOOVER AND ATTORNEY GENERAL McGRATH
They laid down the conditioning barrage

over the allegation that Ethel Rosenberg typed atomic information received by Julius from Greenglass:

q: "Did your wife ever type up at your request any matter as a fesuit of your having received any of that 12-page descriptive matter?"

A: "She did not type any such thing."
THE COURT: "Is your wife a

typist?"
A: "Yes, she is."
THE COURT: "Do you have a typewriter at home?"

A: "That is right."
THE COURT: "Proceed."

Q: "Did you ever take any material that was ever transmitted to you by Dave or Ruth Greengiass and turn it over to the Russians or anybody; else."

A: "No. I did not."
THE COURT: "Did you know any
Russians at that time?"

SHE SERVED JELLO: Ethel Rosenberg's examination was briefer and less involved than her husband's. But Judge Kaufman played no favorites:

Q: "bid you ever hear of any such thing as a dello box being cut in two in order to be a means of identification of any emissary or agent to be sent by your husband out West in order to get information from the Los Alamos Project?"

A: "Outside of this courtroom, I mever heard of any such thing."

THE COURT: "Incidentally, did you have any Jello boxes in your apart,"

Saypol's badgering was hardly less tendentious than His Honor's. Thus, in cross-examining Julius Rosenberg:

Q: "Did you ever make any contribution to the Joint Anti-Fascist Befugee Committee?"

A: "Yes, I believe I did."

SAYPOL (turning to the jurors):

That is known to be an organization deemed subversive by the At-

torney General."

To the host of disations today at him by the prosecutor in cross-examination about 'fit' political affiliations, Rosenberg, refused to answer, claiming privilege under the 5th Amendment. This is what happened when attorney Bloch objected to this entire line of questioning:

BLOCH: "... This type of question goes to collateral matter. The charge here is espionage."

THE COURT: "... I wouldn't entertain this if I believed it was collateral.... I believe that in view, of the foundation which the Goverament has laid that it is relevant."

For Ethel Rosenberg, whose cross-examination by the prosecutor consisted almost entirely in attacking her exercise of privilege in refusing to answer questions before the grand jury before she was indicted, here is one of the questions which enabled Saypol and Judge Raufman to send this mother of two small children to the Sing Sing death house:

Q: "A little while ago you said you did everything to help havey, do you remember that?"

A: "Yes."
Q: "Bid you help him join the Communist Party?"

DEATH HOUSE BANTER; Finally, when the prosecution produced
a "surprise" witness under the
guise of rebuttal—a photographer
who testified that he had taken
"passport photos" of the Rosenberg family (although he could
produce no negatives of the pictures nor a record of the transaction)—attorney Bloch asked the
witness:

Q: "Now there are some Saturday:

when you do a rather rushing bust-

A: "Not a rushing business." A: "Well, a good business?" .,

business, or a ,tusping pusiness, 1...

Judge Kaufman playfully admonished the U.S. Attorney not to try to be a Milton Berle and the jury chuckled respectfully. There-

after, their sport exhausted, both judge and prosecutor sought spiritual guidance 'as they took pains SAYPOL: "Did you, say a 'Russian, to inform newsmen, who, with no exception, highlighted this in their accounts of the trial) and returned to Foley Square to send the objects of their banter to the Death House.

## TOO CRUEL, TOO HORRIBLE

N sentencing Ethel and Julius Rosenberg to death in the electric chair on charges of entering into an atomic espionage conspiracy in. 1944-45, Judge Irving, Kaulman told the convicted defendants:

"Your crime is worse than murder. Plain, deliberate, contemplated murder is dwarfed to magnitude by comparison with the crime you have committed.

. . I believe your conduct in putting into the hands of the Russlaus the A-bomb years before our best scientists predicted Russin would perfect the bomb has already caused the Communist aggression in Korea with the resultant casualties exceeding 50,000 Americans, and who knows but that millions more of innocent people may pay the price of your treason. Indeed, by your betrayal you undoubtedly have altered the course of history to the disadvantage of our country. No one can say that we do not live in a constant state of tension. We have evidence of your treachery all around us every dayfor the civilan defense activities throughout the nation are simed at preparing us for an atom bomb at-

. In the light of the circumstances, I feel that I must pass such sentence upon the principals in this diabolical conspiracy to destroy

God-fearing nation, which will demonstrate with finality that this nation's security must remain invis-

of This was the rationalization for imposition by a civil court-for the first time in this country's history, either in peace or warof the death sentence on a charge of espionage.

REFLECTING HYSTERIA: Calling the sentence "unjust," The Sentinel. American-Jewish national magazine in Chicago, said Kaufman "was carried away to an extent by the hysteria which has overtaken our country." The Jewish Daily I rwar, which accepted without challenge the judge's statements as to the Rosenbergs' guilt, nevertheless found the sentence "too horrible" and "too cruel." It probably spoke for the whole Jewish community of America when it added that "every Jew feels the same way": but it is now apparent that a far vaster segment of America finds the sentence too cruel and hor-

But even assuming that the Rosenbergs did participate in such a plot, the judge's statement justifying the death sentence falls apart factually when viewed against the historical facts; and the sentence itself becomes not only cruel and horrible but ridiculous and lilegal to boot.

A STUDY IN CONTRASTS: Of the 12 "overt acts" charged. against the Rosenbergs, the first occurred in June, 1944; the last in Jan. 1945. The savagery of the sentence, if it may in any conceivable way be justified, can be of understood only in terms of the political climate six years after so the commission of the "crime." in Death for the crime the Rosenbergs allegedly committed is unthinkable had they been brought to trial at the time it allegedly was committed, when the U.S.S.R. was a war ally. But even for aiding an enemy in World War II. no individual was sentenced to death.

In the wartime spy case known as U.S. vs. Molzahn, four men who gave vital aircraft secrets to Germany in the fall of 1941 were let off with 5- to 15-year sentences. "Axis Sally" and "Tokyo Rose" . "-against each of whom was presented a mountain of evidence ". showing they had actively worked for an enemy in wartime, and against each of whom was absolutely proven treason, the greatest crime chargeable against a citizen in relation to his own government-were each sentenced to ten years' imprisonment. (With time off for good behavior, both will

be free before the Rosenbergs appeals can be (exhausted.)

Even in those cases where others had been convicted as alleged spies for the Soviet Union. the maximum, penalty (only one case) meted out by U.S. British and Canadian courts has been 30 years, the minimum sentence six months.

JUDGE vs. COMMISSION: Further grounds for questioning the imposition of the death sentences were forthcoming from government itself-the Joint House-Senate Committee on Atomic Energy. Its 222-page report published last April, after the Rosenbergs had been sentenced to death, demolishes every point made by the prosecutor and the judge in regard to the death penalty.



DR. KLAUS EMIL JULIUS FUCHS · The real Julius?

in 1945 of scientists most closely associated with atomic development, such as Harold C. Urey. Oppenheimer, Huxley in England and others who pleaded with the public and the Allied governments to understand that there existed no basic atomic secrets. They warned then that atom bombs could be built by any nation, that the only protection against atomic war was international outlawing of atomic weapons and destruction of stockpiles.

Authoritative scientific publications also have repeated this same point of view. An editorial in the September, 1949 issue of Atomics, a monthly periodical dedicated to the presentation of scientific facts about all phases of atomic energy, offers one typical statement of the many hundreds that could be quoted. The editorial, prompted by President Truman's announcement in 1949 that the Soviets had exploded an atom bomb, declared:

". ., . It should not be startling since it is only what every reputable scientist, knowing the principles of nuclear physics, has been predicting ever since we dropped the gtomie bomb on Japan four years Ago. SINCE THE DISCOVERY OF URANICM FIBSION IN 1938 THERE HAS BEEN NO BASIC SECRET RE-GARDING AN ATOMIC BOMB. True. It was not until July 16, 1845, when the first experimental atomic bomb explusion took place at Alamogordo, that American scientists actually knew that an atomic bomb would work. ONLY DURING THE 21 DAYS. BETWEEN THAT DATE AND AUG-UST 6, 1945, WHEN THE ATOMIC BOMB WAS DROPPED ON HIRO-SHIMA, DID WE POSSESS THE SECRET OF THE ATOMIC BOMB. THIS SECRET WAS SIMPLY THAT ME KNEW THE BOMB WOULD WORK, Scientists of other nations did not know it." (caps added)

VERDICT BY PASSION: Before the Rosenberg trial the government told the public it would produce as witnesses such top nuclear physicists as Oppenheimer and Urey, and wartime A-bomb project chief Lieut. Gen. Leslie Groves. None of them came to testify. Was it because they might have admitted that no "atomic secret" ever existed at all?

Information possessed by the Atomic Energy Commission would seemingly bear this out. Last December, in the opening paragraph of a news story datelined Washington, D.C., the International . News Service reported:

"The Atomic Energy Commission Friday bared secret documentary proof that Russia has known the scientific secrets of atom bomb manufacture since 1940, the year the United States began attempts to develop the missile."

Outside of lynch law there is probably no more appalling example in American memory of



JUDGE IRV NG KAUFMAÑ Did Divine Guidance say "Death"?

of judicial tradition and his- Russians the A-bomb" and "caustorical and scientific fact, than ing the Communist aggression in : Judge Kaufman's death sentence. Korea with the resultant, casual-

"yielding to hysteria in the face "foutting, into the hands of the on Julius and Ethel Rosenberg for . ties exceeding 50,000 Americans."

## UNFLINCHING IN FACE OF DEATH

(April 17, 1951)

My very own dearest husband: I don't know when I've had such

a time bringing myself to write you. My brain seems to have slowed to all but a complete halt under the weight of the myriad impressions that have been stamping themselves upon it minute upon minute, hour upon hour, since my removal here. I feel a sharp need to share all that burdens my mind and heart and so bring to naught, make invalid the bitter physical reality of our separation. . . .

The bars of my large, comfortable cell hold several books, the lovely, colorful cards (including your exquisite birthday greeting to me) that I accumulated at the House of Deten line the top ledge of my writing table to pleasure the eyes and brighten the spirit. The chil- . dren's anapahots are taped onto. & "picture frame" made of cardboard, and smile sweetly upon me whenever I so desire, and within me somewhere, I shall find that "courage, confidence and perspective" I shall need to see me through the days and nights of bottomless horror, of tortured acreams I may not utter, of frenzied longing I must denyl Julie, dearest, how I wait upon the journev's end and our triumphant return to that precious life from which the foul monsters of our time have sought to drag us!

(April 18, 1951)

Dearest Ethel: I received your wonderful this afternoon. . .

If our lawyers do not succ

bringing you back to the Women's Detention Home I will move heaven and earth to be sent to Sing Sing to be nearer you and to be able to see you whenever it is possible.

I beg you not to try to sway me from this decision se this is what I must do. Your single document is indelible proof that not only are you a tremendous person, but you have the courage, confidence and enlightened perspective to come through all this hell and then some. My wife. I stand humble beside you. proud of you and inspired by such a woman! . . .

In a couple of days the Passover holidays of our people's search for freedom will be here. This cultural heritage has added meaning to us who are locked away from each other and our loved ones by this modern Pharach. It has such meaning to us and our children. Yes, we are missing a lot but this, too, shall pass and we will have cause for greater celebration: . . .

Always your very own

(Ethel to Atty. Emanuel Bloc)

. Now I have a special reque to make of you. Please, when yo see the Warden next, won't you ples with him to allow me to have Mich sel's plant outside the cell where can see it but not touch it? At the very least, couldn't I see it just one so that I can truthfully tell Michae what it looks like. . . . My God, what harm can there possibly be, wha crime committed if I am allower this one token of love from my darling children whom I have not some for close to a year now! . . . :

#### (Julius to Ethel-May 9)

. . Ethel, I was terribly shocked to read that Willio McGee was executed. . . My heart is sad, my eyes are filled with tears. I must yell SHAME AMERICA! Shame on those who perpetrated this helnous acti Greater shame on those who did not lift their voices and hands to stop the Mississippi executioner. It seems to me that the federal courts have adopted the abominable medieval practice of the Southern Bourbons, legal lynching of Negroes—and are now attempting, as in our case, to apply this to political prisoners. Mark my words, dearest, the harsh sentence passed on us is part of the atomic hysteria designed to brutalize the minds of the people in order to make it easier for them to accept as a commonplace thing long prison terms and even death sentences for political Prisoners, 📜 👡

In mid-May, Julius was also sent to the Death House and wrote this letter to Ethel after their first visit there.

and I am so concerned for your welfare and peace of mind. All during the lawyer consultation I couldn's take my eyes off you nor could I get myself to express the tender and deep love I feel for you, my precious.

With decency and justice we'll be delivered from this darkness to beautiful life and freedom, Goodnight, my wife.

#### (From Ethel to Julius' sister)

it is to be separated from one's children. Can the heart-ache ever really be measured? I am a vessel filled to overflowing with so much sorrow, so much pain, it seems as though I shall never be quite free of these feelings again. Yet must I curb my longing, and bid myself be patient yet a while more. The thought of my sweet husband ever comforts and sustains me; I simply must not be found wanting.

#### (Ethel to Atty. Bloch)

. . I'd like to drop your dad [cocounsel Alexander Bloch-Ed. | a few lines but since I don't know if it would be permissible. I'd better just send my love through you. How is my adopted "Pop" anyway? Tell him his adopted "daughter" is as rebellious as ever; let him just come and see me and I'll give him a sample of the old lung power! Goah, how I used to bawl him out during our consultations and how he'd plead with you to make me "stop yelling" at him! How far away it all seems: I can see him this minute, after the verdict, sitting there heart-broken, overcome, sick to the soul of him at .... all the rotten hypocrisy of the impartial judge and the impartial jury. His old eyes have beheld so many slimy things, I'm hoping it's in the cards for him to behold our eventual \*\* victoryi

The Rosenbergs' children, the Michael, 8 and Robbie, 4, were placed in a shelter home following their parents' arrest. They were removed a year later after arrangements were made for them to live with Julius' mother. Here is Julius' first letter to them at their new home.

My Dearest Darling Boy Michael:
... We, your perents, still can's come home as our appeal to the higher courts has not as yet been heard. Be patient, honey, as everything will turn out all right and we'll come home too, when all this is over. I see your mummy regularly and we talk about you two fellows. We look at your pictures and hug and kiss you with all our hearts. You are very dear and precious to us and I send yous all my love. We'd like to hear from you as to all the things you do, see and hear...

I'm sure everything will work out all right because we are all working together from the start and we are doing a wonderful thing for all of us. We are well and glad to hear such good news about you. We will be home, you can bet on that.

Your ewn Daddy Julius

## CONCLUSION

They were convicted by the atmosphere and not by the evidence.

Felix Frankfurter, in The Case of Sacco and Vanxetti.

A FAIR-MINDED people can suffer their government to take the lives of citizens only on the most direct and incontrovertible evidence. The whole world now knows that Nicola Sacco and Bartolomeo Vanzetti were innocent of the crime for which the Commonwealth of Massachusetts put them to death in 1927, that they were framed on a holdup and murder charge because of their radical activities in the postwar hysteria of World War I.

The facts of the arrest, trial, conviction and sentencing of Julius and Ethel Rosenberg indicate that, at the very least, there is grave doubt of their complicity in any alleged atom-spy conspiracy what-soever; and at the very worst, that they too, have been convicted on trumped-up evidence—not so much to silence their own, two small voices of political protest but rather to implant in the public mind with savage emphasis the belief that all holders of radical views are a menace to the nation, and to silence through mortal fear, all who may dare to hold views at variance with those of the administration of our country.

It was precisely for such a purpose as this that Herman Goering caused the Reichstag to be set after in Nazi Germany in 1933, blaming it on the Communists. Of this now well-exposed plot, the noted British lawyer D. N. Pritt wrote:

Far more important for the German government than that the guilty incendiary should explate his crime was the securing of a legal pronouncement. In favor of the alleged complicity of their most feared and hated political opponents, the Communist Party of Germany. . . .

The terror, the persecution and attempted political and economic annihilation of the Jews, the working class movement, and the progressive thinkers of-Germany, thus received some shadow of apparent legal justification.

The Hearst press, gleeful over the death sentences meted out to Julius and Ethel Rosenberg, did not miss the implications of the case for progressive thinkers of America. "The importance of the trial cannot be minimized," said the N. Y. Journal-American. "Its findings disclosed in shuddering detail the Red cancer in the American body politic—a cancer which the Government is now forced to obliterate in self-defense.

"The sentences. : Indicate the scalpel which prosecutors hence—forth can be expected to use in that operation."

Thinking Americans may not in good conscience permit the conviction of these two young American parents to stand without challenge. We must not countenance a Sacco-Vanzetti Case in our time, while we have voice and courage and means and still an opportunity to prevent it.

# AMICUS BRIEF in the ROSENBERG CASE

We BELIEVE that the trial of Julius and Ethel Rosenberg and Morton Sobell on a charge of conspiring to commit espionage, which resulted in death sentences for the Rosenbergs and a 30 year sentence for their co-defendant, lacked gurantees of fairness which all Americans have a right to expect under the Constitution.

WE BELEIVE that the Prosecutor and Trial Judge permitted fear and prejudice to dominate the trial by 1) attributing to the defendants social beliefs which are today the target of virtually every public tribunal, and 2) attributing to them reversals and casualties suffered in Korea.

WE BELIEVE that transient political and social passions have no place in our courts, that to deprive even one American of the right to a fair trial is to injure the rights of all Americans.

WE THEREFORE authorize the inclusion of our names in an Amicus Brief to the Supreme Court of the United States, petitioning that the verdicts and sentences be set aside, and that a new trial be ordered based on Constitutional guarantees of impartiality and fairness in accordance with the best traditions of American justice.

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Belen Lobell - never commented with. against mayor of politican otalities they for self by telling character Bentle, a Tungles would raps ming about furniture. men can-pensing bank coat Heingfinen ..... by so July craven renegade in black robe Unger tred about, monty, Inamuated payof regurerated autientis to save his own necks That me witness free clien or horable ( these mand will be cursed & hated Buth talled like phogosh record Read deller from Julius & Elly. it was a massace for £ 1 1 It was as houted treat: the are per to walk Justing for you too! leaving us. mis. Sobell present appeal for funds aller to prout ston he ming human sacrefices on the road to was melvin, Schaelite 500 We entend to prevent this muder Kathin Hoold 100 We don't mand appendien non Bramer ! putton to start house in the U. I with the Korenbergs"

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HERE IS WHAT YOU CAN DO:

- WRITE to President Truman and Attorney General J. Howard McGrath asking that the government consent to a reversal of the Rosenberg conviction, thus allowing for a new trial or discontinuance of their prosecution.
- URGE your Senators and

Congressman to make, the foregoing request to the White House and the Department of Justice.

- DISTRIBUTE this pamphlet as widely as possible.
- SUPPORT the National Committee to Secure Justice in the Rosenberg Case.

National Committee to Secure Justice in the Resemberg Case 246 Fifth Avenue, New York 1, N. Y.

Please enlist me in the National Committee to Secure Justice in the Rosenberg Case. Enclosed \$............................... to help bring the facts of the case to a wider audience and to assure funds for legal needs. Please send me copies of all materials issued by the Committee. You may (may not) use my name in the Committee's work.

Please send me ..... copies of this pamphlet for distribution.

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# JUSTICE in the Rosenberg Case

By Avillem A. Reusen

# FOREWORD

WHEN the death sentence was passed on Julius and Ethel Rosenberg on April 15, 1951, for alleged atomic espionage for the Soviet Union, the American people were shocked and disturbed. There was widespread feeling that the unprecedented death sentence was savage. Never before in our history had a civil court imposed a death sentence for espionage, either in peace or war time.

The Rosenbergs have unswervingly asserted their innocence; have stated they are being victimized by the prosecution for their avowed political and social views, and have said, "We are victims of the grossest type of political frame-up known in America."

Most of the press assumed that justice had been done in the case. There were some exceptions, particularly the Jewish press, which expressed amazement at the cruelty of the death sentence.

But a full report of the case was not made available to the public until August, 1951, when the National Gurdian began to publish a series of articles by William A. Reuben. His revelations have confirmed the fears of many who had doubted the guilt of the Rosenbergs and convinced many others who had not followed the case originally. As a result of this series, the National Committee to Secure Justice in the Rosenberg Case was formed. As one of its first acts, the Committee is bringing out herewith in slightly abridged form the series by Mr. Reuben.

We ask you to read it carefully—and judge for yourself.

NATIONAL COMMITTER TO SECURE
JUSTICE IN THE ROSENBERG CASE



ETHEL AND JULIUS ROSENBERG Victims of a cold war Sacco-Vanzetti case?

### MUST THEY DIE?

Ry William A. Reuben

ON March 6, 1951, in a federal courtroom at Foley Square in New York City, this nation's first atom-bomb spy trial began, when the clerk-of-court solemnly intoned:

"The United States of America versus Julius Rosenberg, Ethel Rosenberg and Morton Sobell."

U.S. Atty. Irving Saypol announced that the government was ready.

Julius and Ethel Rosenberg were defended by Emanuel H. Bloch and his father, Alexander Bloch; Sobell was represented by Edward

M. Kuntz and Harold M. Phillips.

Nearly 300 talesmen were questioned before a jury of 12 plus four alternates could be seated. It is singular that in a city more than 30% Jewish in population, not a single talesman of Jewish extraction survived the day and a half of questioning before a jury was seated.

TRIAL BY PRESS: The government announced it would call 118 witnesses. Among them were to be top nuclear physicists Dr. J. Robert Oppenheimer and Dr. Harold C. Urey and Lieut. Gen. Leslie Groves, head of the war-time atomic bomb project.

Undefinable tenseness pervaded the courtroom wrote Meyer Berger in the N.Y. Times. The silence was extraordinary" as the trial got under way. To press and public, the question seemed to be not the guilt or innocence of the defendants; but whether or not they would be given the death

(Judge Kaufman himself, during questioning of one talesman. said it was for him alone to decide whether to impose death or a "lesser penalty. The judge caught himself only after defense attorney Emanuel Bloch pointed out the jury's verdict might be for acquittal, making it unnecessary for the judge to impose any sentence at all.)

When the jury had been seated. U. S. Atty. Saypol opened in hushed tones, reading from a prepared statement. He described the defendants as "traitorous Americans" whose "love of communism and the Soviet Union" led them to deliver to the Russians

". . . the one weapon that might well hold the key to the survival of this nation and the peace of the worldthe atom bomb."

Saypol promised to show that the loyalty and allegiance of the Rosenbergs and their co-defendant Morton Sobell was not to America but to

... communism in this country and communism throughout the world, under the dictatorship of the Soviet Union, . . . I do not consider it necessary in this opening statement to deal extensively on the plot that will be unfolded before you. ... The testimony will come from witnesses who were there, who saw and heard what these delendants said

and did over a period of years to commit this crime."

CASE DEFLATES: Eight and a half court days later, the government rested its case (which it had announced beforehand would . , take three months to present). Of the 118 government witnesses originally announced, only 20 were produced. Oppenheimer, Urey and Groves were never called. Of the

- Eight (including six imported) from Mexico) testified as to details of the Sobell family's trip to Mexico, without in any way implicating either. Sobell or the Rosenbergs in the crime charged against them.
- Two army colonels testified to security measures at the Los Alamos project during the war.
- A physicist employed as a liaison-man by the Atomic Energy Commission explained a sketch David Greenglass drew in court concerning some of the components of the atom bomb.
- · Rosenberg's family doctor testified that Rosenberg had asked in behalf of a friend about inoculations necessary to enter Mexico.
- Ruth Greenglass' brother-thlaw, Louis Abel, testified to hiding \$4,000 for David Greenglass and turning it over to his attorney. O. John Rogge, after Greenglass' arrest.
- Ruth's sister (Mrs. Abel) testified that Julius Rosenberg had once asked her to leave the room during a visit to her sister.
  - One witness identified a pho-

tograph of Boviet consular aide Anatoli Yakovlev, named in the indictment as a defendant four years after he returned to the U. S. S. R. in Dec., 1946.

ENTER MISS BENTLEY: Of the remaining five witnesses, two were self-styled one time spy courlers-Elizabeth Bentley and Harry Gold. Neither bad ever known or seen or been involved in any way with any of the defendants.

Gold gave lurid and surefire headline-creating testimony about how the spy ring operated. Miss Bentley, who now earns her livelihood as a paid government witness, said that membership in the Communist Party made it "implicit" to carry out orders from Moscow and that it

". . only served the interests of Moscow, whether it be propaganda, er espionage or anhotage.

'These two introduced a mysterious "Julius," unknown to either of them, whose name recurred in telephone conversations and in apassword used in the spy plot.

NECK-SAVERS FILL THE BILL: The remaining three witnesses were Max Elitcher and the Greenglasses. Despite the prosecution's. promises of 118 witnesses and overwhelming evidence to corroborate the case against the Rosenbergs, only these three offered any testimony purporting to incrimi-. nate them. The Greenglass' charg- ... es against Julius and Ethel Rosenberg, in-laws with whom they were on, the outs, won David ... government's case, the absence of Greenglass a merciful, 15-year any convincing proofs, documen-

death, sentence in New Mexico. where he had been indicted but never brought to trial; and won Ruth Greenglass complete freedom, Max Elitcher's "cooperation" with the FBI provided the government's entire case against Morton Bobell as well as "corroborating evidence" against Julius Rosenberg: and allowed Elitcher, an electrical engineer and former classmate, of both Sobell and Rosenberg at the City College of ' New York, to escape a perjury. charge hanging over his head that could have sent him to jail for five years and ruined him professionally and economically for life.

To backstop the self-saving testimony of these three, the government produced two exhibits purporting to incriminate the. Rosenbergs: (1) a Spanish Refugee Appeal collection can found in the Rosenberg apartment; and (2) a nominating petition aigned in 1941 by Ethel Rosenberg for Peter Cacchione, successful Communist candidate for New York City Council (50,000 New Yorkers signed this petition). These were the only government exhibits which were directly linked to the Rosenbergs. Yet, this is the "evidence" which U.S. Attorney Saypol had assured the jury

", .. will prove to you, not only beyand a reusonable doubt, but beyond any doubt, that . . . these defendants have committed the most serious erime which can be committed against the people of this country."

Because of the flimsiness of the sentence (eight years with good 'tary or circumstantial, the imbehavior) instead of a possible peachability of the three witnesses

con whom its case was based; the . "the most serious crime" which host of peculiarities surrounding has landed them in the Death the arrest and the build-up of House at Sing Sing prison have to charges against Ethel and Julius . do with committing espionage—or

Rosenberg, it must be asked: Does with harboring radical ideas?

### THE JURY NEVER KNEW THIS .:

THE most damning feature of the testimony of both Gold and Elizabeth Bentley-and, indeed, perhaps the most incriminating aspect of the government's entire case—was the introduction by them of a mysterious "Julius."

Gold testified that, in establishing contact with Greenglass in New Mexico, when he paid him \$500 after receiving information pertaining to atom bomb experiments going on at the secret Los Alamos Project, where Greenglass was stationed during the war, the code words he used were: "I come from Julius." Gold had in fact come from visiting. Dr. Klaus Emil Julius Fuchs in Santa Fe.

Miss Bentley said that during 1942 and 1943 she received several telephone calls from a man whose voice she could not describe and whose identity she did not know, except that he was "someone who called himself Julius."

The government presented this evidence in the obvious expectation, which proved correct, that the jury would decide that this mysterious "Julius" was Julius Rosenberg.

But a startling fact, not introduced by the defense at the trial because it was not known to them, was contained in the New York Times of February 4, 1950. In reporting the arrest of the arch-conspirator of the "spy plot," Dr. Klaus Emil Julius Fuchs, the Times made this statement a full year before the "Julius" evidence was presented by the government in asking death for Julius Rosenberg:

"Dr. Fuchs, who is charged in London with unlawfully disclosing atomic secrets, was known to his friends. here as Julius."

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UNTIL they found themselves under arrest in the summer of 1950, charged with atomic spying, the story of the life of Ethel and Julius Rosenberg was probably very like that of thousands of young New York couples.

A few months after his graduation from C.C.N.Y. in 1939, Julius married Ethel Greenglass, a government secretary who had stud- .: Emerson Radio at \$77 a week, but ied plane and voice. Ethel had a povertime provided a hike in pay job as a clerk-typist with the Census Bureau in Washington and the couple went there to live 'Thereupon he and one of Ethel's for a short time. But Julius soon got a job as junior engineer with husiness with another fellow. the U.S. Signal Corps in New York, and Ethel quit her Washington job to join him. They were very deeply in love.

After living with in-laws and in furnished rooms for a time, they found an apartment in Knickerbocker Village housing project in 1942. As soon as they were settled they had their first baby-a boy, now aged 8.

Julius lost track of his CCNY friends for the most part. He ran into two of them, Morton Sobell and Max Elitcher, at a swimming pool in Washington, D.C., when he was assigned to the Bureau of Biandards in 1940. In 1944, on a Bignal Corps assignment, he visited Elitcher again but couldn't locate Sobell this time. In 1945 he lost his Signal Corps job on charges of Communist Party affiliation (which he denied, but to no

effect). He then went to Washing. ton again to see his Congressman to try and get a clearance; he again visited the Elitchers, roder around Washington with them. trying to locate the Congressman and some union people, then went

When Julius lost his Signal "Corps job he landed one with over the government, job. He was laid off toward the end of 1945. brothers' went 'into the surplus · When Ethel's other brother, David Greenglass, got out of the Army in 1946, they took him into the partnership and changed the name to the G. & R. Engineering Co. In '47 they reorganized the firm, took a \$15,000 investor, David Schein, and became the Pitt Machine Products Co. Inc.

David. Greenglass, the "baby" of the family, was a special favorite of his sister, Ethel. David's wife, Ruth, was friendly with the Rosenbergs too. When the couples got together, they talked about the war among other things, Julius being a staunch advocate of a second front. When David went off to an army camp, Ethel wrote the family letters to him for their mother, who couldn't write English well.

DAVID IN TROUBLE: One day

in 1945, while David was stationed in New Mexico, Ruth called Julius and asked him to visit her where. she was living with her sister. She whispered to Julius to get her. him she was worried about David. He had some idea of stealing selling it, she said. Julius told her pulled out as a partner and Julius to advise David to steer clear of that sort of thing and to stay out of trouble. Julius thought at the 'time it was some sort of blackmarket business, and told Ethel about it when he got home.

When David came back from service the two men never discussed this affair; Julius didn't know' whether Ruth had told David about telling him of it. By



DAVID GREENGLASS Saving his own skin?

then, of course, Julius knew that David had been assigned to the stomic project in Los Alamos as a machinist, but did not connect the two circumstances. As partners in sister to leave the room, then told the business, the personal relations of David and Julius worsened with its declining fortunes. something from the Army and The upshot was that in 1949 David agreed to pay him \$1,000 after some other obligations of the . firm had been met.

> From then on they were scarcely on speaking terms: the \$1,000 went unpaid; David and Ruth kept trying to collect it, but Julius didn't have it. (Finally the Greenglasses instructed their lawyer to bring suit for the money.) Once David even aimed a punch at Julius. After that the couples avoided one another except at family gatherings.

But then, in the middle of May. 1950, David came to the Pitt Machine Shop and told Julius he had to talk to him privately. The two men went across the street to Hamilton Fish Park. There in a very excited and agitated condition, David asked Julius for \$2,000. Julius told David he didn't have that kind of money and had noway of getting it. He pointed out further that he owed David only \$1,000. David then asked Julius to try to get him a certificate for a small-pox vaccination and to find out the type of injections needed to enter Mexico. Julius wondered if David was in some kind of trouble, but David refused to discuss his reasons for needing the emoney or the certificate, exceed

"HELP DAVEY": During the talk David had become very agitated and that night Julius told Ethei about the incident. Both of themrecalled the conversation in 1945 with Ruth Greenglass about David. having ideas of stealing some things from the Army. They both remembered also David having mentioned casually that in February, shortly after Dr. Klaus Fuchs was arrested on spying charges, he (David) had been questioned by FB1 agents. The Rosenbergs suspected that David was in trouble of some sort, but they thought it probably had to do with stealing gasoline or perhaps uranium from Los Alamos.

Mainly because of Ethel's saying, "Julie, we ought to try to help. Davey." Julius on his regular trip to the doctor's for hay-fever shots a few nights later asked his doctor if it was possible to give a certifia. cate of having had shots to someone who never had them. The doctor said that would be impossible, and a few days later Julius went to the Greenglasses' apartment and told David what the doctor said. David told Julius to forget it, that he would take care of it himself.

"YOU'LL BE SORRY": During the first week of June, David telephoned Julius at work to-say he must talk to him again. On his way to work next morning, Julius stopped off at the Greenglass apartment and then the two men went outside and walked toward East River Drive, During their walk. David again said that he had to have \$2,000 in cash and this time he asked Julius to borrow it for him, either from relatives or the business.

Julius again told David it was impossible to get the money, David became angry and threatened:

"Well, Julie, I've just got to have that money and if you don't get me that money you are going to be sorry."

ON MAY 22, 1950, Ruth Greenglass left a N.Y. hospital where six days previously she had given birth to her second child. She returned with the baby to her ex-GI husband, David, at their apartment at 266 Stanton. Street on the city's lower East War II. Side.

courier named Harry Gold had been arested in Philadelphia by the FBI in connection with an alleged spy ring centering around Dr. Klaus Emil Julius Fuchs, German-born British scientist stationed at Los Alamos during World 🗒

AN OLD ACQUAINTANCE: Five Next morning, May 23, the news- wears earlier, according to the papers headlined a story that trial testimony, on a Sunday brought consternation to the new morning the first week in June, . parents: An alleged Soviet spy 1945, this same Gold, whose pho-

tograph, was, now on front pages throughout the country, had visited the apartment of 20-year-old Ruth and 23-year-old Sgt. David. Greenglass in Albuquerque, N.M. He produced a torn half of a Jello box matching one that they had in their possession. Gold had first visited Dr. Klaus ("Julius") Fuchs at Santa Fe. He introduced himself to the Greenglasses with the passwords: "I come from Julius," and asked for certain written information pertaining to a secret lens mold used in the manufacture of the atom bomb. David Greenglass produced the requested material, handed it over to Gold and received \$500.

In February, 1950-three months; before the papers announced Gold's arrest. and a few days after Fuchs' arrest in London-FBI agents had come to the Greenglass apartment in New York to question David about his duties and activities at Los Alamos. Ruth was present. The FBI made no move to arrest Greenglass at that

Four months later, on June 15. Greenglass was home preparing formula for their new child. Their three-year-old child was there, too. Ruth Greenglass had badly burned herself a few days earlier and was in a hospital for treatment. There, was a knock on thedoor. The young father answered it. Four FBI agents walked in. They told him he was under arrest on charges of committing espion-

The FBI agents stayed in Greenglass' apartment for

514 hours, until 7:30 that night. They questioned him and made a thorough search of the apartment. In going through a trunk of old letters and papers, one of the . agents picked out a sheaf of mathematical notes, brought them over to Greenglass and said:

"What's this, some of your atom bomb secrets?"

"No," Greenglass replied. "That's just some of my" brother-in-law's math notes from college."

This - according to the government testimony at the trial-is how Julius Rosenberg's name first came into the case.

THE HIDDEN \$4,000: David Greenglass was taken to FBI headquarters and questioned until the early hours of the next morning. Finally he was allowed. to telephone another brother-inlaw, Louis Abel, to whom he had previously given \$4,000 to hold for him. Greenglass asked Abel to retain O. John Rogge, one-time Asst. U.S. Attorney General under Tom Clark.

Later that morning, Abel went to the Rogge law firm and turned over the \$4,000. Rogge appeared age for the Soviets during the war, at the arraignment that afternoon, protested his client's innocence and asked for lowered ball. In opposing Rogge's demands, U.S.

Attorney Irving Saypol demanded that Greenglass be held in \$100,000 bail and had him placed in solitary confinement ....

That same day the FBI paid its first visit to Julius Rosenberg. whose college notes of 12 years earlier had been found in the Greenglass apartment. The FBI men said they wanted to talk to Julius about his brother-in-law. David Greenglass. Julius accompanied them to the Federal Bldg. in Foley Square, and for about three hours they asked him questions about David, pressing him for specific dates about David's visits to New York on furlough during the war.

Through them, Julius learned that David had been arrested the day before and had they said. confessed to stealing atomic secrets for the Soviet Union. Then, after they had been asking him questions about David for three hours, one of the FBI men sald.

"Dave said you told him to supply information for Russia."

Rosenberg asked to be allowed to confront. Greenglass to hear these "foolish accusations," from his own lips. The FBI agents ignored his request. Rosenberg then demanded and got permission to consult a lawyer. He telephoned his union's law firm. They asked whether he was under arrest. When Rosenberg said no, they told him to "put on your hat and walk out," which he did.

"SOMEBODY MORE IMPOR-TANT:" The same day, other FBI agents went to the hospital to question Ruth Greenglass. No

testimony on this interview washal ever introduced. (The government & put no FBI agents on the witness 1 st stand-an indication that they might have proven extremely vul-if nerable to defense questions dealing with the interrogations and "contessions" made by certain key witnesses.) But when Ruth Greenglass left the hospital two days. later she had an immediate consultation in her home with at-7 torney Rogge, She said that her. husband had had dealings with" Gold, that it was she who had deposited the \$500, and that she had been present the previous February throughout an FBI interview with her husband. She

"I thought the FBI was leading to-" . somebody other than my husband, that they wanted somebody much more important than he."



RUTH GREENGLASS She chose freedom

Rogge then "outlined the different courses that could be taken."

On July 6 in New Mexico, a federal grand jury handed down a four-count espionage indictment against David Greenglass. The charges against him, based on sworn information given to the grand jury by nine persons, including four FHI agents, were that "on about June 3, 1945, in Albuquerque" David Greenglass had:

(1) Met and conferred with Harry Gold; (2) Received \$500 from Gold; (3) Prepared a sketch of a "high anpiosive lens mold"; (4) Prepared a statement concerning the Les Alamos project.

The grand jury charged that Greenglass had delivered these atomic secrets to Gold and to Anatoli Yakovlev "for transmission to the U.S.S.R." For conviction on any one of these overt acts David Greenglass faced the death penalty.

"THE GENERAL SITUATION":
The day following the indictment'
the federal commissioner in New
York ordered Greenglass' immediate removal to New Mexico; but
Rogge asked for a week's delay.
A week later, on July 13, Rogge
secured another postponement.
U.S. Attorney Saypol approved
the delay. He explained:

"I do not feel it appropriate to state publicly the substance of discussions which have been going on, but I acquiesce in this application for adjournment."

In its account of these proceedings, the N.Y. Daily Mirror reported:

The court appearance followed the latest of a series of conferences between Bogge and Saypol. Rogge said

he has been taking with both his ellent and Enypel and would like to have "several more takes with my client here before removal proceedings are held." His take with the accused spy, he said, have been about "the general situation."

SAYPOL CONFERS: In mid-July, Ruth Greenglass, after her first interrogation by the FBI on June 16 and her initial consultation with Rogge, met with Saypol, members of his staff, FBI agents and her husband for three days in a row. The conference had been arranged by Rogge. These conferences with Ruth Greenglass culminated with her signing a statement in which the implicated the Rosenbergs.

On July 17 the FBI placed Julius Rosenberg under arrest, with an announcement, issued jointly from Washington by J. Edgar Hoover and J. Howard Mc-Grath, charging bim with having recruited his brother-in-law, David Greenglass, into a Russian apy ring "early in 1945."

FREE ON A "HUNCH"; Thua, in one-month, what started with an FBI agent's chance question about Julius Rosenberg's college math notes had been shaped up to provide a political sensation. In police parlance the "atomic plot" involved was a "closed case" before Rosenberg was brought into it. All the accused participants had confessed. The chief one, Dr. Klaus Emil Julius Fuchs, British-employed German scientist stationed at Los Alamos project during the war, was already serving time in England (and still works for the British government).

His motive; Fuchs said; was misdirected idealism. Three of his four alleged accomplices in America had no political idealism, only a cash motive; the fourth Harry Gold, was an anti-left-wing adventurer.

Thus the government was deprived of a political culprit in the plot; and the case was on the point of being quietly and unsensationally concluded when Julius Rosenberg was suddenly brought into it. For, in arresting Rosenberg, the government was able to stress the fact that in 1945 he was discharged from government em-

ploy on charges that he was a member of the Communist Party.
Ruth Greenglass' hunch—that the "government" was seeking "somebody much more important" than the Greenglasses—proved right.

Today, as the Rosenbergs sit in the Death House at Sing Sing prison, parted from their two children, their accuser, Ruth Greenglass, a self-labeled spy, is free with her two children. Her husband, David, saved from trial for his life in New Mexico, will be free in eight years, with good behavior.

# 'EVIDENCE" AND HOW IT GREW

GEN. BURGOYNE: "... The sooner he is hanged, the better."

AIDE: "We have arranged it for

AIDE: "We have arranged it for 12 o'clock. Nothing remains to be done except to try him."

-Shaw's "Devil's Disciple"

In spite of the red-scare headlines resulting from the announcement of the Rosenbergs' arrest, the government still had to make a case against the Rosenbergs.

Scores of FBI agents were assigned to check on the friends, neighbors, business associates etc. of the young progressive couple. For Julius' college mates at CCNY there was a special going-over.

Among these were found two, both of whom were employed by the Reeves Instrument Co, in New York, who were made to measure

for FBI purposes. One, an electrical engineer named Max Elitcher, had failed to report Communist Party membership in applying for a government job, had eventually guit the lob for fear this would be disclosed, and could still be prosecuted for perjury-meaning a possible five-year sentence and ruin. The other, who lived back-to-back with Elitcher in Queens, L.I., had recently (June 21. 1950) taken his family to Mexico for the summer. His name was Morton Sobell, and he was alleged to have once been a member of the Young Communist League.

The FBI first interviewed Elitoher on July 20, three days after Julius Rosenberg's sensationally publicized arrest. He was told they had information he was involved in espionage. After several hours' questioning he asked to go home and consult his wife. The FBI went with him, Mrs. Elitcher was at home with her two children, a four-year-old and a new baby.

Within 12 hours Elitcher had signed a statement implicating Julius Rosenberg. He then made a beeline for the law office of O. John Rogge who was already representing the Greenglasses.

The statement Elitcher signed for the FBI said that on two visits to his home in Washington during the war Rosenberg had asked him to spy for the U.S.S.R. but that he had never done so.

KIDNAPING PARTY: On Aug. 3/ prosecutor Irving Saypol got a sealed warrant for the arrest of Sobell. It charged him with five "overt acts," all of which were identical: having "had conversa-



MORTON SOBELL
Sentenced to 30 years on no
evidence

tions with Julius Rosenberg over a two and a half year period, at six month intervals. On Aug. 16 ten armed men broke into the Sobell apartment in Mexico City, blackjacked him, dumped him into one car of a five-car caravan and drove three days and nights until they reached the U.S. border. There, waiting FBI agents arrested Sobell and took him to New York where he was arraigned Aug. 25 and held in \$100,000 bail.

There was still no case against Sobell, except that the Sobells and the Rosenbergs had visited each other from time to time and Sobell had "fled" to Mexico. (There is no evidence that he was up to anything more incriminating than a vacation. The known facts: his home in Queens was not even sublet; he and his family had booked air passage, rented their Mexico City apartment, in their own names in an apparently normal way.)

FUEL FOR THE BONFIRE: But there, too, Sobell's classmate and neighbor Elitcher came in handy for the FBI. Although in his first two statements (July 20 and 21) Elitcher did not mention Sobell, he finally signed a third state-ment in October, according to hisown testimony, which quoted Rosenberg as saying: "Sobell is also in this."

(Sobell was indicted on Oct. 10, stood trial with the Rosenbergs, was found guilty and sentenced to 30 years in prison. No overt acts were charged against him, his conviction depended solely on Elitcher's testimony. Sobell's at-

torneys called no witnesses nordid Sobell testify in his own defense, in the belief that the jury would reject the unsupported testimony of Elitcher in the face of no government allegations of overt acts. His case, like that of the Rosenbergs, has been appealed.)

Whether or not the government, in kidnaping and arresting Sobell, had any genuine expectation of convicting him, hauling him in helped add fuel to the red-spy bonfire being built up around the Rosenbergs.

MRS. ROSENBERG ARRESTED:
Prior to Sobell's kidnaping and
arrest, Ethel Rosenberg had been
twice called before the federal
grand jury. Questioned mainly
about her and her husband's
political beliefs, ahe refused answers on constitutional grounds
and on Aug. 11, as she left the
grand jury room, she too was
placed under arrest.

On Aug. 17, the day before Sobell's arrest on the Mexican border, the first indictment in the case was handed down. It charged Ethel and Julius Rosenberg with having conspired to transmit atomic secrets to the Soviet Union. Indicted with them was Anatoli Yakoviev, departed Soviet consular official accused as recipient of the secrets. Named as coconspirators but not as defendants were Harry Gold and David and Ruth Greenglass. Sobell was not mentioned.

The N.Y. Times noted:

This was the first time that the Government had brought Mrs. Greengians into the case. . . . U.S. Attorney Irving Saypel said the grand jury had directed that she not be prosecuted. Thus it was indicated that she was cooperating in the Investigation and might turn Government witness.

KNOW-HOW AT WORK: The Times noted that the indictment listed eleven "overt acts," among them charges that on Nov. 15, 1944, the Rosenbergs conferred with Ruth Greenglass and five days after gave her \$500 to go to New Mexico to visit her husband. Another charged Rosenberg with visiting Mrs. Greenglass in N. Y. on Dec. 10, 1944, and receiving information from her.

These notations in the Times story of the first indictments indicate how the government's case began to shape up through FBI know-how.

As a first example, the charge against Rosenberg on July 17 when he was arrested dated his alleged activities from "early in 1945." The Aug. 17 indictment charged "overt acts" dating back to Nov. 15, 1944, to cover new allegations by Ruth Greeenglass.

A NEW OVERT ACT: On Oct.

10, a new indictment was returned, naming David Greenglass as a defendant in N.Y. (he had already been indicted in New Mexico back in July) and also Sobell in addition to the Rosenbergs and Yakovley.

On Oct. 19 Greenglass pleaded guilty to the N. Y. indictment and his attorney, O. John Rogge, volunteered the following for him:

"My olient is not absolutely precise about every date mentioned in the institutent, but he is ready to give his statement of what transpired, as

he recalls the eventa.

The third and final indictment was returned on Jan. 31, 1951, a few days before the trial was scheduled to get under way. This indictment (as noted again in the

. extends the conspiracy to June 6, 1944 . . . One overt act has been added. ... It charges Roscoberg with visiting 347 Delaware Av., Washington [Elitcher's apartment], on June 4, 1944,

HOW IT GREW: This chronology. when co-related with U.S. Atty. Saypol's statements and with the testimony given in the courtroom, makes it apparent that:

• On July 17, Julius Rosenberg's arrest was warranted on no other basis than oral allegations about him made to the federal authorities by his in-laws, Ruth and David Greenglass.

 The arrest of Ethel Rosenberg on Aug. 11, and the indictment of Ethel and Julius on Aug. 17; were based entirely on the same oral unsupported allegations.

The kidnaping and arrest of

Morton Bobell on Aug. 18 were warranted by nothing except his suspected political beliefs and his being "over the border" when the FBI sought him out-as they did every one of Rosenberg's CCNY classmates and acquaintances.

- Sobell's indictment on Oct. 10 was based on his involvement by Max Elitcher, Sobell's former college room-mate and next-door neighbor, under threat of prosecution for perjury.
- The final indictment, on Jan. 31, 1951, contains the first indication of any incriminating allegations given to federal authorities about Julius Rosenberg by Elit-

JUSTICE: Thus the case against the Rosenbergs, which prought death sentences for them, was built entirely by the Greenglasses -both self-labeled sples-and by Elitcher, whose testimony saved him from a 5-year perjury rap and professional ruin.

# THE ROSENBERGS TAKE THE STAND

N. Mar. 21, 1951, eight months charges of spying for the U.S.S.R., .. Julius Rosenberg took the witness stand. During the eight wife, Ethel.

The Greenglasses' portrayal had after he was arrested on Rosenberg being furnished by the Russians with unlimited financial. resources to recruit other spies: to establish contacts with scientists months the American public had, in government agencies and key been bombarded with a well-nigh defense plants; to spend \$50-75 ceaseless propaganda barrage de- every night for entertaining; to signed to convince them of the subsidize the college education of certair guilt of the 33-year-old likely espionage prospects; and to Rosenberg and his 35-year-old furnish his confederates with large sums of money to flee this

country and find eventual haven (although an apparently normal "behind the Iron Curtain."

As a token of their appreciation ernment when the Rosenbergs. tion for his service, "the Rus- were arrested); instead, a photosians," according to the Green- graph of a table was introduced glasses, had given Rosenberg a. in evidence that was "like" the citation which entitled him to special privileges; watches for himself and his wife; and a console table containing a hidden. compartment for microfilming secret documents.

Notwithstanding the intrigue. mystery, excitement, drama and real-life whodunit qualities of the government's portrayal of Rosenberg, there was just one factor missing: not a shred of 't could be supported by even a scintilla of evidence. Nor was any evidence offered even to try to support it.

If these headline-seeking allegations about Julius Rosenberg were indeed factual, it would seem that the government surely could have produced some evidence or testimony that:

• He was known to other members of the A-bomb spy ring.

· He had "Important contacts" in defense plants and government . agencies.

 He was a big spender in night clubs and restaurants.

 He consorted with Russian nationals.

• He had subsidized students college education.

THE "RUSSIAN" TABLE: The government's avoidance of any attempt to prove its headline allegations was almost too crude. The console table, which ostensibly contained a secret compartment. was not even produced in court

table was impounded by the govone allegedly supplied "by the Russlans." (The Rosenbergs said they bought theirs, at a Macy's sale for \$21.)

Significantly, none of these headline allegations was included in the indictment on which the Rosenbergs were brought to trial.

The 12 "overt acts" charge that. as part of a conspiracy to transmit A-bomb and other secret information to the U.S.S.R.:

(1) In June, 1944, Julius visited the home of a classmate, Max Elitcher, in Washington, D.C.

(2) On Nov. 15, 1944, Julius and Ethel "conferred with" Ruth Green-· glasa,

(3) On Nov. 20, 1944, Julius gave Ruth Greenglass a sum of money (J. Edgar Hoover's announcement said it was \$500; In court it became \$150.)

(4) On Nov. 20, 1914, Ruth Greenglass boarded a train for New Mexico. (5) On Dec. 10, 1944, Julius visited the Greenglass apartment at 266 Stanton St., N. Y. C.

(6) On Dec. 10.- 1944. Julius received from Ruth Greenglass a piece of paper containing written information.

(7) On Jan. 5, 1945, Julius and Ethel "conferred with" the Green-, glusnes.

(8) On Jan. 5, 1945, Julius gave Ruth Greengiass a torn half of a jeilo bux,

(9) On Jan. 10, 1945, Julius Introduced Burld Greenglass to man on First Avenue, N. Y. C.

(10) On Jan. 12, 1945, Julius "conferred with" David Orccoglass.

(11) On Jan. 12, 1945, Julius received from David Freenglass a paper containing sketches of experiments conducted at the Los Attmos project,

(12) On Jan. 14, 1915, David Green-

Place beauded a train for New Mexico. Of these 12 "overt acts," Rosenberg when he took the stand. denied four as outright falsehoods. He said he never gave, Ruth Greenglass any sum of money, and never received any written information from her or any sketches from David Greenglass. He denied giving Ruth a torn half of a jello box or introducing David to "a man" on First Ave. This man, according to Greenglass' testimony, was "a Russlan," whose name, dress and description Greenglass was unable to recall when pressed to do so by Rosenberg's attorney, Emanuel Bloch.

Rosenberg did not challenge the other "overt acta" listed in the indictment; he did, however, challenge and deny on oath the import of these acts as alleged by the uncorroborated testimony of witnesses whose accusations against the Rosenbergs saved their own hides.

CASUAL CLASSMATES: The meeting in Elitcher's home in Washington in June, 1944, the only testimony purporting to corroborate the Greenglass" portrayal of Rosenberg as a master spy who toured the country recruiting espionage prospects, defies credulity as it was described by Elitcher.

Here is how "master-spy" Julius Rosenberg proceeded to "recruit" his former classmate into his espionage net; according to Ei-itcher's sworn testimony:

"He came over after supper and my wife was there and we had a casual conversation. After that he asked if



MAX ELITCHER

The FBI put a squeeze on him

my wife would leave the room, that he wanted to speak to me in private, she did and then he said to me he taked to me first about the job that the Soviet Union was doing in the war effort and how at present a good deal of military information was being dealed them by some interests in the U.S., and because of that, their effort was being impeded."

Then, according to Elitcher, Rosenberg asked him whether, in his job with the Navy's Ordnance Bursau, he had access to secret information and whether he would turn it over. (Elitcher said he neither accepted nor rejected the offer; but under cross-examination he admitted that he never turned over to Rosenberg any material, secret, classified, confidential or otherwise.)

Rosenberg's account of this meeting is considerably different. He said that when he was in Washington in 1940, while his

wife was working in the government's census bureau, he bumped into two former classmates, Morton Sobell and Max Elitcher, at a swimming pool. (Elitcher hadn't recalled this encounter.) Four years later, Rosenberg testified, he was sent to Washington on a Signal Corps assignment. After being in the city for three days, he became lonely and attempted to look up Sobell and Elitcher, He said Sobell's name was not listed in the Washington telephone directory, but Elitcher's was.

Rosenberg testified that after he had been at the Elitchers' home for a short time. Mrs. Elitcher did leave the room. But, instead of being sent out by him so that he could make spy overtures to her husband (as Elitcher claimed), she left the two men alone for a mission as prosaic as washing the supper dishes. He saw Elitcher a year and a half later in Washington, and a third time in New York in 1946. He denied categorically any "spy" talk with Elitcher on any of these occasions: their encounters were no more than gettogethers of old classmates.

However, Rosenberg agreed readily that he had talked about the war effort, about the opening of the second front, about the Boviet Union's military and economic gains, and his freely-expressed view that the Russians had

"... contributed a major share in destroying the Hitter beast who killed six million of my co-religionists, and I feel emotiousl about that thing."

The three meetings with the Greenglasses that are listed among

the "evert acts" as sinister linplementations of a spy plot did indeed take place, Rosenberg testified. But, instead of the intriguing conversations that the Greenglasses ascribed to the meetings, Rosenberg said that one of them was at a family gathering when David first returned to New York on an army furlough: another occurred at his mother-inlaw's, when he saw and talked to Ruth Greenglass after her return from a five-day visit to her z husband in Nov. 1944; and the third was at the Rosenbergs! apartment, where the Green-. glasses had been invited to dinner (similar invitations had been extended to David and Ruth by all the relatives who attended the family dinner welcoming the army sergeant home for furlough).

At these meetings, Rosenberg testified, he discussed nothing more sinister than their children, work, the progress of the war, and politics, in which Rosenberg voiced the opinion that the Soviet Union was still bearing the "heaviest load" of repelling the, German Army, and that a second front should have been opened sooner.

What gives the clearest hint; that the Rosenbergs are victims of a political frame-up is that the 12 "overt acts" listed in the indictment all occur during the sixth month period preceding Julius dismissal from his Signal Corps to on charges that he was a Communist Party member—a, period during which he surely must have been under investigation.

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'lowed her husband bh' the stand, sahe did own a portable typewriter: halso denied, categorically "the "that she carned her living as a Greenglasses' accusations purport- "typist before her marriage; that "ing to link her to the espionage ahe corresponded with the Greenplot as Julius' assistant and moral "glasses for her mother, "who supporter. The Greenglasses accused Ethel of typing up A-bomb notes which allegedly were given to Julius by David; writing letters to the Greenglasses when they were living in Albuquerque, N. M. (and allegedly giving them instructions (or meeting a courier); . and being present at several of the meetings which the Rosenbergs insisted were family or social gatherings. No letters, notes or any other corroboration of ing his employment on the charge these accusations were produced. ' he was a Communist.

. There is a difference of a single of Ethel Rosenberg, when the fol- Ethel Rosenberg testified that doesn't write English very well"; that she did some volunteer typing for the ladies auxiliary of her husband's union. Federation of Architects, Engineers, Chemists and Technicians, CIO, and, during the war, for the Office of Civillan Defense. Apart from these typing activities, she admitted to typing nothing more "incriminating" than her husband's denial of the government's allegations in sever-

# 'A FAIR AND IMPARTIAL TRIAL"?

WHEN TESTIMONY had been completed in the trial last March, and just before the summation and the judge's charge. attorney Alexander Bloch addressed Judge Irving Kaufman with the following motion:

"I move for a mistrial upon the ground that the frequent questioning by the Court . . . of witnesses, especially the defendants, had a tendency of unduly influencing the jury to the prejudice of the defendants and depriving them of their constitutional right to a fair and impartial trial,"

Judge Kaufman indignantly brushed the motion aside and challenged the defense's sincerity in making it.

A selection of examples of what

the defense motion referred to follow. The reader should judge them while remembering that the case against the Rosenbergs as presented in the "overt acts" was clearly not sufficient to win a conviction unless the couple could be indelibly smeared before the jury as Communists and "Russia Firsters."

THE FACT THAT WASN'T: When the Government called its first witness, Max Elitcher, Judge Kaufman interrupted the prosecutor's direct examination of the witness to address the jury as follows:

"I want you to understand right at the outset that THE FACT THAT THEY [the defendants] WERE MEM-

SERS OF THE COMMUNIST PARTY [emphasis ours] does not establish the elements necessary to prove them guilty of the crime charged in this indictment, which is conspiracy to commit espionage. However I am admitting this testimony on the theory of motive, but the Government will have to establish that there is some connection between Communism and committing the offense charged in the indictment."

There had been no evidence up to this point that the Rosenbergs were Communists, yet the judge referred to this as a "fact." The only "fact" then in existence bearing on this point was Julius Rosenberg's denial of Communist affiliations in seeking to regain his Signal Corps job in 1945.

Thus Judge Kaufman, in the apparent act of counseling the jury on how to judge the evidence, committed the first act of implanting the defendants' "Communism" in the jury's minds.

ON THE HONOR OF BENTLEY: Later, when the Government brought Elizabeth Bentley to the stand to offer her now-familiar testimony that all Communists are spies for Moscow, the judge pointed out to the jury that this testimony was what he had i-ferred to in his foregoing statement about the connection between Communism and espionage.

THE COURT: "I assume that this is the causal connection that we have been talking about between membership in the party and intending to give an advantage to a foreign government, to wit, the U. S. S. R. as charged in the indict-

The judge then explained the import of Bentley's testimony to the jury, in a way which amount-

ed to little more than his earlier comment spelled backwards:

THE COURT: "The purpose for which this testimony was taken . . . is to thow's link, as the Government contends, exists between aiding Russia . . . and being members of the Communist Party. . . .".

When it became the defense's turn, Judge Kau man was openly antagonistic. At the beginning of his cross examination of the government's first witness, Atty, E. H. Bloch sought to question Elitcher about the circumstances that he, a government witness, was represented by the same lawyer, O. John Rogge, as two defendants in the indictment, David and Ruth Greenglass, Prosecutor Irving Saypol objected.

SAYPOL; "Will your honor let me state on the record my objections? I think the cross-examination is taking a turn which is wholly un- . fair to the prosecution. First there is an implication that the U.S. Government recommends lawyers and witnesses to defendants."

THE COURT (sustaining the oblection):"Well, you had better be prepared, Mr. Saypol, for many, many more implications by the defense in this frial. . . ."

A basic defense contention was that the Greenglasses, to save their own necks, had implicated the Rosenbergs under FBI urging because of animosities which had grown up between the couples in 1949-50 over bus'ness differences. Greenglass admitted the lifferences but insisted he and Rosenberg had remained "good friends."

Q. (by E. H. Bloch): "Pld you ever come to blows with Julius?"

A. (by David Greenglass):""No, I dian't."

Q: "Do you remember an incident" when you were sitting in the corner candy store at Houston St. and Av. D

when your brother Bernie had to Separate the both of your had a far "He stipped my mind." y' and a in THE COURT: "Subsequent to that had you patched things up?"

A: "Certainly. We were very friend

'lly defter that." . "The Greenglasses' testimony, in an effort to connect family gatherings with the Rosenbergs to the alleged spy plot, freely tossed off names of guesta etc. as persons connected with Julius in espionage. activity. (None of these persons was called as a witness or named in any indictment.) One such person, a neighbor of the Rosenbergs, was allegedly first pointed out to Greenglass by Rosenberg as a person who would contact him in New Mexico for information. Later they met socially but Greenglass could testify to no discussion of espionage matters. Rosenberg testified that the woman and her husband had been merely dinner guests at a homecoming for David Greenglass.

berg spout the dinner party:

diston with Ann Sidorovich or her husband at any time with respect to getting any information reinting to the national defense of this coun-

A: "I did not."
THE COURT: "Bid you ever discuss with Ann Sidorovich the respective preferences of economic systems between Russia and the U.S.?"

Rosenberg replied that "in my normal social intercourse with my friends we discussed matters like that." Atty. Bloch, to offset the implications of the judge's intercuption, elicited from Rosenberg the statement that he would fight for this country in a war with any other country, Again Kaufman interrupted:

THE COURT: "Do you approve the communistic system of Bussla over the capitalistic system of this country?"

man and her husband had been DEATH FOR TYPISTS: The folmerely dinner guests at a homelowing prejudicial court tactles coming for David Greenglass. occurred at one of the most im-Attorney Bloch questioned Rosenportant junctures of the trial,



FBI CHIEF HOOVER AND ATTORNEY GENERAL McGRATH
They laid down the conditioning barrage

over the allegation that Ethel Rosenberg typed atomic informs tion received by Julius from Greenglass:

q: "Did your wife ever type up at your request any matter as a result of your having received any ef that 12-page descriptive matter?"

A: "She did not type any such thing."

THE COURT: "Is your wife s typist?"

A: "Yes, she is."

THE COURT: "De you have a type:
writer at home?"

A: "That is right."
THE COURT: "Proceed."

Q; "Bid you ever take any material that was ever transmitted to you by have or Ruth Greenglass and turn it over to the Russians. or anybody; else?"

A: "No. I did not."
THE COURT: "Did you know any Bussians at that time?"

SHE SERVED JELLO: Ethel Rosenberg's examination was briefer and less involved than her husband's. But Judge Kaufman played no favorites:

Q: "Did you ever hear of any such thing as a belle box being cut in two in order to be a means of identification of any emissary or agent to be sent by your husband out West in order to get information from the los Alanus Project?"

A: "Outside of this courtroom, I never heard of any such thing."

THE COURT: "Incidentally, did you have any Jello boxes in your apartment?"

Saypol's badgering was hardly less tendentious than His Honor's. Thus, in cross-examining Julius Resemberg:

Q: "Did you ever make any contribution to the Joint Anti-Fascist Refusee Committee?"

A: "Yes, I believe I did."

SAYPOL (turning to the juscis):

"That is known to be an organization deemed subversive by the At-

torney General."

To the host of quartims though at him by the prosecutor in crossexamination about mis political affiliations, Rosenberg refused to answer, claiming privilege under the 5th Amendment. This is what happened when attorney Bloch objected to this entire line of questioning.

BLOCH: ". . . This type of question goes to collateral matter. The charge here is espionage."

THE COURT: "... I wouldn't entertain this if I believed it was collateral... I believe that in view, of the foundation which the Goyernment has laid that it is relowant."

For Ethel Rosenberg, whose cross-examination by the prosecutor consisted almost entirely in attacking her exercise of privilege in refusing to answer questions before the grand jury before she was indicted, here is one of the questions which enabled Saypol and Judge Kaufman to send this mother of two small children to the Sing Sing death house:

Q: "A little while ago you said you did everything to help havey, do youremember that?" A: "Yes."

Q: "Did you help him join the Communist Party?"

DEATH HOUSE BANTER; Finally, when the prosecution produced a "surprise" witness under the guise of rebuttal—a photographer who testified that he had taken "passport photos" of the Rosenberg family (although he could produce no negatives of the pictures nor a record of the transaction)—attorney Bloch asked the witness:

O: "Note there are some faturdays

when you do a rather rushing busi-

Al- "Not a rushing business."

A: "Well, a good business?", SAYPOL: "Did you say a 'Russiam, business' or a 'rushing business'?"

Judge Kaufman playfully admonished the U.S. Attorney not to try to be a Milton Berle and the Jury chuckled respectfully. There-

after, their sport exhausted, both judge and prosecutor sought spiritual guidance 'as they took pains to inform newsmen, who, with no exception, highlighted this in their accounts of the trial) and returned to Foley Square to send the objects of their banter to the Death House.

# TOO CRUEL, TOO HORRIBLE

Rosenberg to death in the electric chair on charges of entering into an atomic espionage conspiracy in 1944-45, Judge Irving Kaufman told the convicted defendants:

"Your crime is worse than murder, Plain, deliberate, contemplated murder is dwarfed in magnitude by comparison with the crime you have committed.

. . I believe your' conduct in putting into the hands of the Russlans the A-bomb years before our best scientists predicted Russia would perfect the bomb has already caused the Communist aggression in Korea with the resultant casualties exceeding 50,000 Americans, and who knows but that millions more of innocent people may pay the price of your treason. Indeed, by your betrayal you undoubtedly have altered the course of history to the disadvantage of our . country. No one can say that we do not live in a constant state of tension. We have evidence of your treachery all around us every dayfor the civilan defense activities throughout the nation are aimed at preparing us for an atom bomb at-

atances, I feel that I must pass such sentence upon the principals in this sentence upon the principals in this sliabelical conspiracy to destroy a

God-fearing nation, which will demonstrate with finality that this nation's security must remain invislate.

This was the rationalization for imposition by a civil court—for the first time in this country's history, either in peace or war—of the death sentence on a charge of espionage.

REFLECTING HYSTERIA: Calling the sentence "unjust." The Scatings. American-Jewish national magazine in Chicago, said Kaufman "was carried away to an extent by the hysteria which has overtaken our country." The Jewish Daily F rwar... which accepted without challenge the judge's statements as to the Rosenbergs' guilt, nevertheless found the sentence "too horrible" and "too cruel." It probably spoke for the whole Jewish community of America when it added that. "every Jew feels the same way": but it is now apparent that a far vaster segment of America finds the sentence too cruel and horBut even assuming that the Rosenbergs did participate in such a plot, the judge's statement justifying the death sentence falls apart factually when viewed against the historical facts; and the sentence itself becomes not only cruel and horrible but ridiculous and illegal to boot.

A STUDY IN CONTRASTS: Of the 12 "overt acts" charged against the Rosenbergs, the first occurred in June, 1944; the last in Jan. 1945. The savagery of the sentence, if it may in any conceivable way be justified can be understood only in terms of the political climate six years after in the commission of the "crime." 200 Death for the crime the Rosento bergs allegedly committed is unthinkable had they been brought to trial at the time it allegedly was committed, when the U.S.S.R. was a war ally. But even for aiding an enemy in World War II, no individual was sentenced to death.

In the wartime spy case known as U.S. vs. Molzahn, four men who gave vital aircraft secrets to Germany in the fall of 1941 were let off with 5- to 15-year senten-. ces. "Axis Sally" and "Tokyo Rose" "-against each of whom was presented a mountain of evidence 'showing they had actively worked for an enemy in wartime, and " Against each of whom was abso-" lutely proven treason, the greatest crime chargeable against a citizen in relation to his own government-were each sentenced to ten years' imprisonment. (With time off for good behavior, both will

The free before the Rosenbergs appeals can be exhausted.)

Even in those cases where others had been convicted as alleged spies for the Soviet Union, the maximum. penalty (only one case) meted out by U.S., British and Canadian courts has been 30 years, the minimum sentence alx months.

JUDGE vs. COMMISSION: Further grounds for questioning the imposition of the death sentences were forthcoming from government itself—the Joint House-Senate Committee on Atomic Energy. Its 222-page report published last April, after the Rosenbergs had been sentenced to death, demolshes every point made by the prosecutor and the judge in regard to the death penalty.



DR. KLAUS EMIL JULIUS FUCHS

the commission's report, enthe atomic-esplonage damage inflicted upon the U.S." It cites four sples who, it says, did the most damage to U.S. defenses in this order: Dr. Klaus Fuchs, Dr. Allan Nunn May, Dr. Bruno Pontecorvo and David Greenglass.

WERE SPIES NECESSARY? These four together, according to the report, "have advanced the Soviet atomic program by 18 menths." Qualifying that judgment the report adds:

This is not to imply that Russia could never have broken the American atomic monopoly through her own unaided efforts.

Fuchs, the alleged master apy, the report claims, "may have set ahead the Soviet project by one year." Of David Greenglass, the report says:

.. The bomb aketches and explanations that Greenglass-as a virtual layman-could prepare must have counted for little compared with the authoritative scientific commentary upon atomic weapons that Fuchs transmitted. . . . Everything considered, Greenglass appears to have been the least effective of the four suics.

The Rosenbergs are mentioned only once, by way of recording their conviction.

Yet even taking the prosecution's unproven charges as valid, the Rosenbergs could have done no more than transmit the sketches of this "least effective" for little."

WHAT A SPY NEEDS: Judge Kaulman, in justifying the un-

precedented death sentence, called Julius Rosenberg "the prime movstates its objective as "assessing er in this conspiracy". Ethel "his full fledged partner"; both of them the "principals in this diabolical conspiracy."

> The committee's report cites a letter written by atomic scientist Karl Cohen of the H. K. Ferguson Co. to committee chairman Sen. Brien McMahon (D-Conn.) describing the attributes of an effi-

Knowledge of the general scope of the work, access to detailed informution, and an appreciation of its significance.

The Rosenbergs, clearly had no knowledge and no access to detailed information on atomic energy, and no training whatever that would have enabled either of them to appreciate its signifi-

WAS THERE A SECRET? Moreover there is one basically significant aspect of the sentence of death imposed on the Rosenberga. It deals with the kind of information supposedly given to the U.S.S.R., if their guilt be assumed,

In cases involving espionage the burden is on the prosecution, as our courts have held, to prove that information transmitted is "secret." When information already "has been made public property." there is no offense in transmitting. it to a foreign power.

In a speech last January before the New York City Bar Assn., Dr. spy, which "must have counted .. J. Robert Oppenheimer, foremost -U.S. authority on atomic weapons -as reported in the N.Y. Times-. . . declared that there were no "unpublished" secrets concerning atomic



IRVING SAYPOL The experts dissented.

weapons, and no "secret laws of ture" available to only a few.

WHERE WERE THE EXPERTS? Referring to testimony given by David Greenglass pertaining to the A-bomb sketches and notes he \*allegedly gave to the Rosenbergs for the U.S.S.R., Time magazine explained:

The spies on trial could not be convicted without proof that they had given reat and vital secrets to the Eussians,

Greenglass drew a sketch in court and gave a long oral description of the information he allegedly gave Rosenberg, Although the burden was on the government to prove the accuracy of the Greenglass sketch and description, a liaison man with the Atomic Energy Comm, was the only person produced by the government to testify that they to any "substantial degree" reflected the actual construction of bomb.

This point of view found no acceptance from any informed quarter. Time commented that "some of his [Greenglass'] testimony made little scientific sense. and that Greenglass' bomb was not "up to date, complete or accurate," after pointing out; "the general principle of an atom bomb has been no secret."

"ILLOGICAL, UNWORKABLE"; To the science editor of Life, "Greenglass' implosion bomb apnears illogical, if not downright. unworkable." Scientific American also refused to take seriously the contraption solemnly introduced by the prosecution through Green, glass. This authoritative publication's lengthy article 'on the Greenglass bomb began:

History's most elaborately guarded secret-how to make an atomic bomb -was casually let out of the bug in a courtroum last month. Or was it? The Scientific American article contained this biting-and highly revealing—comment:

What the newspapers falled to note was that without quantitative data and other necessary accompanying information the Greenglass bomb was not much of a secret.

Thus the sketch which the Rosenbergs were accused of sending to the U.S.S.R. was not only "illogical" and "unworkable" but it was "not much of a secret" according to the best authorities to judge the evidence in the case.

UNHEEDED WARNINGS: The contention of "secrecy" concerning atomic information has been. the most assiduously-planted propaganda of the cold war. It runs , directly counter to the testimony in 1945 of scientists most closely associated with atomic development, such as Harold C. Urey. Oppenheimer, Huxley in England and others who pleaded with the public and the Allied governments to understand that there existed no basic atomic secrets. They warned then that atom bombs could be built by any nation, that the only protection against atomic war was international outlawing of atomic weapons and destruction of stockpiles.

Authoritative scientific publications also have repeated this same point of view. An editorial in the September, 1949 issue of Atomics, a monthly periodical dedicated to the presentation of scientific facts about all phases of atomic energy, offers one typical statement of the many hundreds that could be quoted. The editorial, prompted by President Truman's announcement in 1949 that the Soviets had exploded an atom bomb, declared:

". . . It should not be startling since it is only what every reputable scientist, knowing the principles of nuclear physics, has been predicting ever since we dropped the atomic bomb on Japan four years age. SINCE THE DISCOVERY OF URANICM FISSION IN 1938 THERE HAS BEEN NO BASIC SECRET RE-GARDING AN ATOMIC BOMB, True, it was not until July 16, 1945, when the first experimental atomic bomb explusion took place at Alamogordo, that American scientists actually knew that an atomic bomb would work. ONLY DURING THE 21 DAYS BETWEEN THAT DATE AND AUG-UNT 6, 1945, WHEN THE ATOMIC BOMB WAS DROPPED ON HIRO-SHIMA, DID WE POSSESS THE SECRET OF THE ATOMIC BOMB. THIS SECRET WAS SIMPLY THAT

WE KNEW THE BOMP WOULD WORK, Scientists of other nations did not know it." (cape added)

VERDICT BY PASSION: Before the Rosenberg trial the government told the public it would produce as witnesses such top nuclear physicists as Oppenheimer and Urey, and wartime A-bomb project chief Lieut. Gen. Leslie Groves, None of them came to testify. Was it because they might have admitted that no "atomic secret" ever existed at all?

Information possessed by the Atomic Energy Commission would seemingly bear this out. Last December, in the opening paragraph of a news story datelined Washington, D.C., the International News Service reported:

"The Atomic Energy Commission Friday bared secret documentary proof that Russia has known the scientific secrets of atom bomb manufacture since 1849, the year the United States began attempts to develop the missile."

Outside of lynch law there probably no more appalling example in American memory of



JUDGE IRV. NG KAUFMAN Did Divine Guidance say "Death"?

of judicial tradition and his- Russians the A-homb" and "caustorical and scientific fact, than ing the Communist aggression in Judge Kaufman's death sentence, Korea with the resultant, casualon Julius and Ethel Rosenberg for ties exceeding 50,000 Americans.

wielding to hysteria in the face "putting into the hands of the

## UNFLINCHING IN FACE OF DEATH

(April 17, 1951)

My very own dearest husband:

I don't know when I've had such a time bringing myself to write you. My brain seems to have slowed to all but a complete halt under the weight of the myriad impressions that have been stamping themselves upon it minute upon minute, hour upon hour, since my removal here. I feel sharp need to share all that burdens my mind and heart and so bring to naught, make invalid the bitter physical reslity of our separation. . . .

The bars of my large, comfortable cell hold several books, the lovely, colorful cards (including your exquisite birthday greeting to me) that I accumulated at the House of Deten line the top ledge of my writing table to pleasure the eyes and brighten the spirit. The children's snapshots are taped onto. a "picture frame" made of cardboard, and smile sweetly upon me whenever I so desire, and within me somewhere, I shall find that "courage, confidence and perspective" I shall need to see me through the days and nights of bottomiess horror, of tortured screams I may not utter, of frenzied longing I must denyl Julie, dearest, how I wait upon the journey's end and our triumphant return to that precious life from which , the foul monsters of our time have sought to drag us!

(April 18, 1951)

Dearest Ethel: I received your wonderful this afternoon, . . . If our lawyers do not

bringing you back to the Women's Detention Home I will move heaven and earth to be sent to Sing Sing to be nearer you and to be able to see you whenever it is possible.

(I beg you not to try to sway m from this decision as this is what I must do. Your single document is indelible proof that not only are you a tremendous person, but you have the courage, confidence and enlightened perspective to come through all this hell and then some. My wife, I stand humble beside you, proud of you and inspired by such a woman! . . .

In a couple of days the Passover holidays of our people's search for freedom will be here. This cultural heritage has added meaning to us who are locked away from each other and our loved ones by this modern Pharaoh. It has such meaning to us and our children. Yes, we are missing a lot but this, too, shall pass and we will have cause for greater celebration: . . .

Always your very own

(Ethel to Atty. Emanuel Block

. Now I have a special reque to make of you. Please, when yo see the Warden next, won't you ples with him to allow me to have Mich sel's plant outside the cell where can see it but not touch it? At the very least, couldn't I see it just one so that I can truthfully tell Michae what it looks like. . . . My God, what harm can there possibly be, wha crime committed if I am allowe this one token of love from my darling children whom I have not some for close to a year now! . . . . .

### (Julius to Ethel-May 9

.. Sthel, I was terribly shocked to read that Willie McGee was executed. . . . My heart is and, my eyes .. are filled with tears. I must yell SHAME AMERICA! Shame on those who perpetrated this helnous act! Greater shame on those who did not lift their voices and hands to stop the Mississippi executioner. It seems to me that the federal courts have adopted the abominable medieval practice of the Southern Bourbons, legal lynching of Negroes-and are now attempting, as in our case, to apply this to political prisoners. Mark my words, dearest, the harsh sentence passed on us is part of the atomio hysteria designed to brutalize the minds of the people in order to make it easier for them to accept as a commonplace thing long prison terms and even death sentences for political prisoners, . . .

'In mid-May, Julius was also sent to the Death House' and wrote this letter to Ethel after their first visit there.

Darling, I miss you so much and I am so concerned for your welfare and peace of mind. All during the lawyer consultation I couldn't take my eyes off you nor could I get ., myself to express the tender and deep . love I feel for you, my precious.

. . I'm sure we'll make it, darling. With decency and justice we'll be delivered from this darkness to beautiful life and freedom. Goodnight,

### (From Ethel to Julius' sister) ...

Oh, how indescribably bitter It is to be separated from one's children. Can the heart-sche ever really be measured? I am a vessel filled to overflowing with so much sofrow, so much pain, it seems as though I shall never be quite free. of these feelings again. Yet must I curb my longing and bid myself be patient yet a while more. The thought and sustains me; I simply must not be found wanting.

### (Ethel to Atty. Bloch)

. . I'd like to drop your dad forcounsel Alexander Bloch-Ed. a few lines but since I don't know if it would be permissible, I'd better just send my love through you. How is my adopted "Pop" anyway? Tell him his adopted "daughter" is as rebellious as ever; let him just come and see me and I'll give him a sample of the old lung power! Gosh, how I used to bawl him out during our consultations and how he'd plead with you to make me "stop yelling" at him! How far away it all seems: I can see him this minute, after the verdict, sitting there heart-broken. overcome, sick to the soul of him at " all the rotten hypocrisy of the impartial judge and the impartial jury. His old eyes have beheld so many slimy things, I'm hoping it's in the " cards for him to behold our eventual to victory I

The Rosenbergs' children in Michael, 8 and Robbie, 4, were placed in a shelter home following their parents' arrest. They were removed a year later after arrangements were made for them to live with Julius' mother. Here is Julius' first letter to them at their new home.

My Dearest Darling Boy Michael: . . . We, your parents, still can't come home as our appeal to the higher courts has not as yet been heard. Be patient, honey, as everything will turn out all right and we'll come home too, when all this is over. I see your mummy regularly and we talk about you two fellows. We look at your pictures and hug and kiss you with all our hearts. You are very dear and precious to us and I send o your all my love. We'd like to hear from you as to all the things you do, see and hear. . . .

I'm sure everything will work out all right because we are all working together from the start and 'we are doing a wonderful thing for all of us. We are well and glad to of my sweet husband ever comforts ; hear such good news about you. We will be home, you can bet on that. " Your own Daddy Julina

## CONCLUSION

They were convicted by the atmosphere and not by the evidence. -Felix Frankfurter, in The Case of Sacco and Vanzetti,

FAIR-MINDED people can suffer their government to take the lives of citizens only on the most direct and incontrovertible evidence. The whole world now knows that Nicola Sacco and Bartolomeo Vanzetti were innocent of the crime for which the Commonwealth of Massachusetts put them to death in 1927, that they were framed on a holdun and murder charge because of their radical activities in the postwar hysteria of World War I.

The facts of the arrest, trial, conviction and sentencing of Julius and Ethel Rosenberg indicate that, at the very least, there is grave doubt of their complicity in any alleged atom-spy conspiracy whatsoever; and at the very worst, that they too, have been convicted on trumped-up evidence—not so much to silence their own, two small voices of political protest but rather to implant in the public mind with savage emphasis the belief that all holders of radical views are a menace to the nation, and to silence through mortal fear, all who may dare to hold views at variance with those of the administration of our country.

It was precisely for such a purpose as this that Herman Goering caused the Reichstag to be set aftre in Nazi Germany in 1933, blaming it on the Communists. Of this now well-exposed plot, the noted British lawver D. N. Pritt wrote:

For more important for the German government than that the guilty incendiary should explate his crime was the securing of a legal pronouncement, in favor of the alleged complicity of their most feared and hated/politicals opponents, the Communist Party of Germany. . . .

The terror, the persecution and attempted political and economic annihilation of the Jews, the working class movement, and the progressive thinkers of Germany, thus received some shadow of apparent legal justification.

The Hearst press, gleeful over the death sentences meted out to Julius and Ethel Rosenberg, did not miss the implications of the case for progressive thinkers of America. "The importance of the trial cannot be minimized," said the N. Y. Journal-American. "Its findings disclosed in shuddering detail the Red cancer in the American body politic-a cancer which the Government is now forced to obliterate in self-defense.

"The sentences ... indicate the scalpel which prosecutors henceforth can be expected to use in that operation."

Thinking Americans may not in good conscience permit the conviction of these two young American parents to stand without challenge. We must not countenance a Sacco-Vanzetti Case in our time. while we have voice and courage and means and still an opportunity to prevent it.

### FOR JUSTICE

WRITE to President Truman and Attorney General J. Howard McGrath. Tell them what you think. Ask that the government consent to a reversal of the Rosenberg conviction, thus permitting a new trial or discontinuance of their prosecution.

URGE your Senators and Congressmen to make the foregoing request to the White House and the Department of Justice.

WRITE the National Committee to Secure Justice in the Rosenberg Case for more information. We will send you our new 32-page pamphlet "TO SECURE JUSTICE IN THE ROSENBERG CASE," by William A. Reuben, which tells the whole story. Ask for as many as you can possibly circulate. Send us a financial contribution—big or little. We need help. Use the form below.

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# THE ROSENBERG CASE

a fact sheet



Published by
THE NATIONAL COMMITTEE TO
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PROSECUTION'S

4E INDICIMENT

On April 5, 1951, Julius Rosenberg and his wife Ethel were sentenced to die in the electric chair, having been convicted on a charge of conspiracy to spy on behalf of the Soviet Union.

The Rosenbergs have unswervingly maintained their innocence from the day of their arrest. When Ethel Rosenberg was taken to the Sing Sing death house, she declared:

"We said and we say again that we are victims of the grossest type of political frame-up ever known in America."

On February 25, 1952, the U. S. Circuit Court of Appeals upheld the verdict and the sentences in a shocking decision that held, among other things, that persons could be considered disposed to commit espionage by virtue of their political or social views. The defendants' attorneys will appeal the case to the Supreme Court.

Thousands of people, among them many eminent public figures, do not believe the Rosenbergs guilty or that their trial was a fair one. Thousands more, who have grave doubts of their guilt, are horrified at the death sentence.

A number of these citizens have formed the National Committee to Secure Justice in the Rosenberg Case, and many times their number have contributed money and time to make new appeals possible and to bring the case, with its far-flung implications, to the public.

### THE ROSENBERGS

Ethel and Julius Rosenberg, until their arrest, led the life of every-day people, struggling for a livelihood and education, and hoping that their two young sons, aged nine and four, would be spared the hardships familiar to the parents.

Julius Rosenberg, 34, was born and raised on the lower East Side of New York City. He attended public school and Seward Park High School as well as the Downtown Talmud Torah and Hebrew High School. He graduated from the City College of New York in 1939 with a Bachelor's Degree in Engineering.

Ethel Rosenberg, 36, graduated from Seward Park High School, and took courses in bookkeeping, stenography, typing, Hebrew, piano, guitar, and voice, and a course in child psychology at the New School for Social Research. They lived in an apartment on the lower East Side for which they paid approximately \$45 a month. Since their marriage they lived solely on Julius' \$70 a-week income as a government engineer, except for the past few years when they managed a meager living from the profits of a small machine shop business. Julius was an active member of his trade union. Ethel did volunteer work in community and civilian defense organizations.

### THE INDICTMENT

The indictment charged the Rosenbergs with initiating a conspiracy during 1944, the last year of the war against nazism, to transmit information "relating to the national defense of the United States" to the Soviet Union.

The prosecutor however, went far beyond the indictment, charged that the Rosenbergs had given the Soviet Union the "secret" of the atom bomb, and attempted to create the impression that the Rosenbergs were "Communists," holding allegedly "subversive" views, and therefore disposed to commit espionage. He further attempted to impress the jury that a verdict of "innocent" would be tantamount to repudiation of our government's foreign policy.

### THE PROSECUTION'S CASE

Before the trial the prosecutor announced that he would call 118 witnesses, among them top scientists Dr. J. Robert Oppenheimer, Dr. Harold C. Urey; Gen. Leslie R. Groves, head of the atom bomb project during the war; agents of the Federal Buresu of Investigation; alleged associates of the Rosenbergs in the "conspiracy"; and two "star" witnesses. All witnesses were supposed to give evidence of Rosenberg's alleged spy activities.

Of these 118, the prosecutor called only 20, among them none of the above named scientists or FBI agents. Of the 20. 8 merely gave details of a trip which Sobell took to Mexico. a trip which the prosecutor did not allege to be for espionage purposes; 2 testified that certain security measures were taken to conceal the nature of the atom bomb project: I was an engineer who interpreted a sketch manufactured for the court by David Greenglass, chief government witness: I was the Rosenberg family doctor who testified that Rosenberg had asked him questions pertaining to inoculations necessary for a trip to Mexico: I was a relative of Ruth Greenglass, who testified that David had given him \$4000 to hold for him; I was the sister of Ruth Greenglass who testified that she was once asked to leave the room by Julius Rosenberg on a visit to the Greenglass home; I was a witness who identified a photograph of Anatoli Yakovlev, a former Soviet consular aide named a co-defendant in the trial, and who had returned to his country in December 1946; I was Elizabeth Bentley, who testified that all Communists were spies, but had never met any of the defendants: I was Harry Gold, who testified in the same vein as Bentley. and admitted that he did not know the Rosenbergs. Of the remaining 3 witnesses. I said that Rosenberg had twice asked him to become a spy, but had declined each time. This witness, Max Elitcher, admitted that he faced a five year prison sentence for perjury, and that he "hoped for the best" as a result of his uncorroborated testimony. He is free today, never having been tried. The remaining two witnesses, David and Ruth Greenglass, were both, according to the prosecutor, and their own statements, involved in the alleged conspiracy, but as a result of their testimony, of which more later, Ruth was never brought to trial, and her husband got off with a 15 year sentence.

Thus it is clear that the government's entire case is based on the Greenglasses uncorroborated testimony. The prosecutor produced 32 exhibits as "documentary evidence." Not one of these documents, by the prosecutor's own admission, connected the Rosenbergs with a conspiracy to commit espionage. In fact, only two of the documents were at all related to the Rosenbergs. One was a collection can issued by the Spanish Refugee Appeal, the other was a nominating petition, signed by Ethel, for Peter V. Cacchione, a successful Communist candidate for the City Council of New York.

The prosecutor filled the overwhelming bulk of his case with persistent insinuations that the Rosenbergs were Communists, that U. S. monopoly of the atom bomb was important to world peace, and that war with the Soviet Union was virtually inevitable.

### THE STAR WITNESSES

David Greenglass, brother of Ethel Rosenberg, and his wife Ruth, were the star witnesses against the Rosenbergs. Both admitted that they had committed espionage for which they received money and for which both could be given the death penalty.

David Greenglass was arrested in June and indicted in July 1950. He was held in \$100,000 bail, placed in solitary confinement, and visited for hours at a time by the FBI.

He and Ruth hired O. John Rogge, who himself later became a star government witness against the eminent Negro scholar Dr. W. E. B. DuBois in a case charging Dr. DuBois with being a foreign agent (the judge threw the case out of court). After extended negotiations by the Greenglasses, Rogge, Prosecutor Irving Saypol and agents of the Department of Justice. The FBI arrested Julius Rosenberg and later his wife Ethel solely on the basis of "information" given by the Greenglasses.

The Greenglass' uncorroborated testimony was the only evidence presented that the Rosenbergs had conspired to steal the atom-bomb secret. Their testimony in respect to the Rosenbergs was solely oral, and no documents or other proofs linking the Rosenbergs to espionage were introduced. No witnesses were called to substantiate any conversations on espionage that allegedly took place between the Greenglasses and the Rosenbergs. David Greenglass testified that relying solely on his memory of snatches of overheard conversation at the atom-bomb project at Los Alamos, and his remembrance of details of blueprints which had been shown to him as part of his work as a machinist, he had drawn up an elaborate sketch of the atom bomb, together with twelve pages of written material, which he allegedly conveyed as a description of the bomb to Rosenberg.

The following are Greenglass' actual qualifications for this impressive feat:

- 1) experience as an ordinary machinist in both army and civilian life:
- 2) a high school education, plus 8 technical courses at Brooklyn Polytechnic Institute, in all 8 of which he admitted he was graded "failure"?
- 3) an admission that he was ignorant of various formulas governing component parts of the atom bomb, and that he had never taken courses or read books on such essential subjects as elementary, differential or advanced calculus, thermodynamics, quantum mechanics, nuclear or atomic physics. Not a single atomic scientist was called to support David Greenglass' testimony concerning the atom bomb or to confirm the authenticity of the "sketch" of the atom bomb he made for the trial. Instead, a then first lieutenant, John Derry, an aide to General Groves, whose job in the Army was mainly related to personnel, was called upon to testify that the manufactured sketch reflected to a "substantial degree" the principles of the atom bomb. Derry's sole "qualification" was a Bachelor of Engineering degree.

Had Dr. Harold C. Urey been called by the prosecutor, as the latter had announced he would do, Dr. Urey could have demolished Greenglass' testimony by repeating what he had said on March 3. 1946, during Congressional hearings on whether the stom bomb should be controlled by civilians or the Army. The N. Y. Times reports him as saying: "Detailed data on the atomic bomb, he declared, would require '80 to 90 volumes of close print' which only a scientist or engineer would be able to read . . . . Any spies capable of picking up this information,' Dr. Urey added, 'will get information more rapidly by staying at home and working in their own laboratories." Responsible periodicals and science editors commented as follows on Green-

glass' testimony:

TIME MAGAZINE: "Some of his testimony made little scientific sense." LIFE MAGAZINE'S Science Editor: "Greenglass' implosion bomb appears illogical, if not downright unworkable,"

SCIENTIFIC AMERICAN: "History's most elaborately guarded secrethow to make an atomic bomb-was casually let out of the bag in a courtroom last month. Or was it?"

### POLITICS INSTEAD OF EVIDENCE

The prosecutor set out to show that the defendants were Communists and that Communists are spies. This had nothing to do with either the indictment or proof that the Rosenbergs had conspired to commit espionage. The prosecutor said that the Rosenbergs had allegedly committed this crime because their loyalty was to "communism in this country and communism throughout the world." But he did not establish that the Rosenbergs were Communists. Instead, he showed:

- 1) the Rosenbergs had a Spanish Refugee appeal can in their home;
- 2) Ethel Rosenberg was one of 50,000 New York citizens who had signed a nominating petition in 1941 for Peter V. Cacchione, successful Communist Party candidate for New York City Councilman;
- 3) the Rosenbergs carried sick and death benefit insurance with the International Workers Order, a multi-national, inter-racial fraternal insurance society with 160,000 members in 18 states;
- 4) the Rosenbergs were both active members of their trade unions; Ethel in Local 65 of the Wholesale, Retail and Warehouse Workers Union; Julius in the Federation of Architects, Engineers and Technicians:
- 5) the Rosenbergs occasionally read the Daily Worker:
- 6) the Rosenbergs believed that the Soviet Union had borne the brunt of the war against Nazi Germany, and that it had done its share in wiping out the murderers of 6 million Jews:
- 7) the Rosenbergs had been pleased and lauded the United States and Great Britain for opening up a second front;
- 8) Julius Rosenberg had once been accused of being a Communist, for which he had been fired from the Signal Corps, although he had sworn that he was not a Communist.

### AN ARGUMENT FOR FOREIGN POLICY INSTEAD OF EVIDENCE

The prosecutor argued that the atom bomb was "the one weapon that might well hold the key to the survival of this nation." He argued that the United States had made every effort to keep the principles of the atom bomb a secret, and insinuated that since the Soviet Union was by then known to have the bomb, the Rosenbergs must be guilty of having conspired to transmit its secret to that country.

Leaving aside the absurdity of this kind of "proof" against the Rosenbergs, all recognized authorities deny the possibility of atom-bomb monopoly and atom-bomb "secrets." This is what these authorities say:

ATOMICS, a monthly scientific magazine, September 1949: "Since the discovery of uranium fission in 1938 there has been no basic secret regarding an atomic bomb."

SMYTH REPORT, official report of the U.S. government on atomic energy development, published in 1945: "... the principles that have been used were well known to the international scientific world in 1940."

INTERNATIONAL NEWS SERVICE, December, 1950, in a story datelined Washington, D. C.: "The Atomic Energy Commission Friday bared secret documentary proof that Russia has known the scientific secrets of atom bomb manufacture since 1940, the year the United States began attempts to develop the missile."

DR. J. ROBERT OPPENHEIMER, in a speech in January, 1951, said, according to the N. Y. Times: "... that there were no 'unpublished' secrets concerning atomic weapons, and no 'secret laws of nature' available only to a few."

NEW YORK TIMES, Feb. 24, 1952: "The British development of an atom bomb confirmed what had been apparent when the Russians exploded their bomb in 1949—that the secret of the atom bomb was not a secret, that any nation with the resources could construct one, but only big and wealthy nations could afford this kind of armament."

### THE DEATH SENTENCE

In imposing the death sentence against Ethel and Julius Rosenberg, Judge Irving Kaufman said that they had "altered the course of history to the disadvantage of our country... we have evidence of your treachery around us every day... I believe your conduct has already caused, in my opinion, the Communist aggression in Korea, with resultant casualties exceeding 50,000 and who knows but that millions more of innocent people may pay the price of your treason."

From the Judge's comments, it appears that he sentenced the Rosenbergs to death for crimes with which they were not at all charged. They were neither accused of treason nor was any evidence brought in linking them in any way to the instigation of any wars, past, present, or future. But the Judge's comments, and the death sentence, like the jury's verdict, is in line with the

prosecution's inability to bring in convincing proof that the Rosenbergs conspired to commit espionage, substituting, instead, inflammatory and reckless charges that had nothing to do with the case.

It is unthinkable that the same verdict and the same sentence would have been given had these wild accusations formed the basis of a "case" during the war years (when the USSR was our ally), when the alleged conspiracy was supposed to have taken place, or even in the first years following the end of the war.

Further, we can compare the sentences given to confessed or convicted traitors and saboteurs such as Axis Sally and Tokyo Rose, who got ten years each, and the famous Molzahn case in which four men who gave vital secrets to Germany in the Fall of 1941 were let off with 5 to 15 year sentences.

Finally, this is the first time in the history of our country that a civil court has imposed the death sentence for a charge of espionage. No person committing treason, the gravest of all crimes, has ever been executed.

### THE TAINT OF ANTI-SEMITISM

Shortly after the trial was over the prosecutor, although Jewish, was severely reprimanded by a United States Court of Appeals for practicing anti-Semitism in another case. This grave charge is bolstered by the fact that the Rosenberg trial, in a city whose population is one-third Jewish, proceeded without a single Jewish juror due to challenges by the prosecution. Here are comments from the Jewish press:

THE DAY: "The death sentence imposed by Judge Kaufman left the feeling that precisely because he is a Jew did he go to an extreme and deal judgment with a heavy hand... that Judge Kaufman is a Jew has perhaps unconsciously motivated him to issue a sentence which, in the opinion of many, is considered to be unjust and brutal."

DAILY FORWARD: "Too horrible . . . every Jew feels the same way."

CHIGAGO SENTINEL, an Anglo-Jewish paper, in a column on Feb. 7, 1952 by Rabbi G. George Fox, one of the most widely known Rabbis in the mid-west, an eminent scholar and author: "I am certain that Judge Kaufman's decision will be found unjust, if not illegal."

### CONCLUSIONS

- 1) The Rosenbergs were convicted on unsubstantial and incredible evidence.
- 2) The prosecution prejudiced and inflamed the jury by bringing in extraneous issues in every phase of the trial.
- 3) The suspicion of anti-Semitism taints the entire trial.

When it is borne in mind that Ethel and Julius Rosenberg were ordinary folk like the vast majority of us, that they were not leaders of any political or social or economic movements, it becomes clear that a new danger faces this vast majority, the danger that past or present or future views on social issues may become the basis for wild accusations, imprisonment, and even death. That is why it is in the interest of all Americans, regardless of their beliefs and creeds, to make certain that justice is done in the Rosenberg Case.

### NATIONAL COMMITTEE TO SECURE JUSTICE IN THE

### ROSENBERG CASE

### 246 Fifth Avenue, New York 1, N.Y.

### Dear Friend:

More than a hundred prominent Americans, among them the Hon. Robert Morse Lovett, Dr. Katherine Dodd, Mrs. Bessie Mitchell, B. Z. Goldberg, Cept. Hugh N. Mulzac and others have joined with me in a world-wide appeal to bring about a reversal of the verdict and death sentence in the now-famous Rosenberg case.

I shall not repeat the information contained in the enclosed pamphlet. You will recall that its author, Mr. William Reuben, was the crusading journalist who first broke the celebrated Tranton Six Case, in which the lives of all and the freedom of four have already been won.

I wish only to call attention to what we believe to be some very alarming features of the case: the prosecution, with the judge's consent, attempted to prove that "communist" and "spy" are synonymous and deserving of death; the Rosenberg's political opinions and their activities in behalf of the Joint Anti-Fascist Refugee Committee was introduced as evidence of "guilty intent"; the young Rosenberg couple, parents of two small children, are the first and only persons ever sentenced to death in a U.S. civil court on a charge of espionage; a number of important newspapers among them the entire leading Yiddish press, were shocked by the death sentence and have asked whether anti-Semitism has not, in this case, found its ultimate and most deadly expression.

We are alarmed because if an individual's political views are proof of "guilty intent" to commit a crime punishable by death, then the lives of none are safe. We are alarmed that traitors to the United States like Axis Sally and Tokyo Rose are sentenced to ten years while a young mother of two children is sentenced to death. We are deeply troubled that this entiraly unprecedented sentence was reserved for persons of Jewish faith. We believe that we are not overstating when we say that all minorities, native and foreign born, will find themselves in dire jeopardy as a result of this unique trial and punishment.

We who have joined together to secure justice in the Rosenberg case differ in our political, social, religious and economic views. But we are agreed that the circumstances under which Mr. and Mrs. Rosenberg, and their co-defendant Mr. Morton Sobell, were tried and sentenced establish an ominous precedent that may bring disgrace to our country, as the Dreyfus case brought shame to France.

We hope that after reading this pamphiet you will agree with us that you and your associates and the organizations and houses of worship to which you belong should take steps to repair this wrong.

We urge that you write to President Harry S. Truman, the Attorney General of the United States asking that the verdict be set aside and a new trial granted. We urge that you write to Judge Irving Kaufman, Federal Court House, New York City, asking that he reconsider his sentence.

As you may undoubtedly realize, this letter and the pamphlet have been made possible only by the voluntary contributions of thousands of persons from all parts of the country. We need additional funds for further printing, for advertisements, and for legal expenses in connection with an appeal to the higher courts. We would appreciate any contribution you might care to make.

Should you want additional copies of this pamphlet they are available at 5¢ each, 100 for \$4, 1000 for \$15. We would be happy to send you additional information, speakers where possible, and to cooperate with you in establishing local committees to publicize the Rosenberg case.

We look forward to hearing from you.

Yours very sincerely,

Formal Chairman

65 dpows

# RATYSIATI ENTIPERT INTO

Jewish Mother Writes From The DEATH HOUSE

"We said, and say again, that we are the victims of the greatest type of political frame-up ever known in America." -Ethel Rosenberg

Snot

SHOULD THE ROSENBERGS DIET

Ethel and Julius Rosenberg, parents of two small children, are the only persons over sentenced to death by a U.S. Civil Court for alleged espionage. Axis Sally, Tokyo Rose and other selfconfessed traitors were spared their lives.

> ARE THEY VICTORS OF ANTI-SEMITISM?

Mordecai Danzis, editor of the Day, in an article in that paper, April 12, 1951 write:/

"There is a suspicion that the fact that Judge Kaufman is a which, in the opinion of many, is considered to be unjust and brutal." Jew has perhaps unconsciously motivated him to issue a sentence

H. Leivik, the poet, in the April 16th issue of the same news-

paper, said:

"Presisely because Jewish accusers and a Jewish judge stood against accused Jews....the judge should have been free from the Jewish complex and should under no circumstances have passed the death sentence upon a mother of two children.

The "Forward" in an editorial on April 6, 1951 commented:
"When we editors get the news that Julius and Ethel Rosenberg were sentenced to death, a shudder passed through all of us...We are certain that every Jew who read the said news felt this way. From our hearts came the words, ideath sentence too horriblet

Louis Harap in "Jewish Life", January 1952 wrote:
"It has been seid that no anti-semitism intruded into the trial itself. But this is to overlook the fact that Irving Saypol, the Jewish Prosecutor, did not permit a single Jew, of the 300 jurors in the panel, to sitt on the jury. This, in a city that is one third Jewish, is no accident.

### ARE THEY INNOCENT?

William Reuben, noted journalist who exposed the injustice in the Trenton Six case, has written a comprehensive analysis of This revealing study is now available in booklet form,

### DO THIS TODAYL

1. Write for copies of William Reuben's booklet on the Ro berg

2. Write or call for speakers to address your organization. 3. Write President Truman and Attorney General McGrath asking justice be done in the Rosenberg case.
4. Sand funds to the Committee for Legal and publishing expenses. NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE 246 - 5th Ave., N.Y.C., MU 5-2144

The Honorable Robert Morss Lovett, Dr. Herberg Aptheker, the Reverend Spencer Kennard, B.Z. Goldberg, Dr. Katherine Dcdd, Mrs. Bessie Mitchell, Captain H. N. Mulzac, and 125 other sponsors from every part of the world.

Provisional Chairman: Joseph Brainin

RESPOND TODAY & TIME RUNS SHORT FOR ETHEL & JULIUS ROSENBERG!!!

National Committee to Secure Justice in the Rosenberg Case 246 Fifth Avenue, N.Y.C.

Enclosed is my contribution of \$\_

to secure justice in the Rosenberg case.

Please send me copies of the pamphlet (single copies, 54; \$4. per 100)

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STATEMENT
by the
NATIONAL CONSITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE

Grave doubt exists as to the guilt of Ethel and Julius Rosenberg, who, in April, 1951, were sentenced to die in the electric chair on charges of espionage. The Rosenbergs, young parents of two small children, had pleaded innocent of all charges. Their appeal is now pending in the U.S. Court of Appeals - Second Circuit.

The Government's case against the Rosenbergs rests almost exclusively on the testimony of David Greenglass and his wife Ruth, who, according to their own statements, had committed espionage. By testifying against the Rosenbergs, David Greenglass escaped the death penalty and will be eligible for papole in eight years; Ruth Greenglass was never indicted and is free, today.

It is a relevant fact, as revealed by the trial record of the case, that the alleged political opinions of Ethel and Julius Rosenberg were a major element in the case. Fear that the Rosenbergs were also victims of religious bigotry was expressed, immediately following the trial, by the leading Jewish press and by other newspapers in this country.

The severity of their sentence is unprecedented. A sentence of death rests, presumably, upon establishing guilt beyond reasonable doubt. Yet even in cases where no doubt existed as to the guilt of the accused, such as "Axis Sally" and "Tokyo Rose", sentences of only ten years were imposed. <

In the Rosenberg case, the future of two young children, as well as the lives of their parents, are at stake. But beyond the fate of this family is the right of all people in this country to freedom of thought. This is another reason why we feel constrained to bring further light upon this extraordinary case. Can any of us, whatever our occupations or beliefs, continue to function if the holding of unpopular opinions should make us liable to unjust prosecution and event to the threat of death?

If you feel, as we do, that justice has yet to be satisfied in the case of the Rosenbergs, you can help in three ways:--

- 1. Join the National Committee to Secure Justice in the Rosenberg Case.
- 2. Write us for further information, additional copies of this statement and other material on the case.
- 3. Contribute financially so that we can bring the facts in this case before our fellow citizens, and to assure funds for necessary legal expenses.

# NATIONAL COMMITTEE TO SECURE JUSTICE IN THE

### ROSENBERG CASE

### 246 Fifth Avenue. New York 1. N.Y.

### Dear Friend:

More than a hundred prominent Americans, among them the Hon. Robert Morse Lovett, Dr. Katherine Dodd, Mrs. Bessie Mitchell, B. Z. Goldberg, Capt. Hugh N. Mulzac and others have joined with me in a world-wide appeal to bring about a reversal of the verdict and death sentence in the now-famous Rosenberg case.

I shall not repeat the information contained in the enclosed perphlet. You will recall that its author, Mr. William Reuben, was the crusading journalist who first broke the celebrated Trenton Six Case, in which the lives of all and the freedom of four have already been won.

I wish only to call attention to what we believe to be some very alarming features of the case: the prosecution, with the judge's consent, attempted to prove that "communist" and "spy" are synonymous and deserving of death; the Rosenberg's political opinions and their activities in behalf of the Joint Anti-Fascist Refugee Committee was introduced as evidence of "guilty intent"; the young Rosenberg couple, perents of two small children, are the first and only persons ever sentenced to death in a U.S. civil court on a charge of espionage; a number of important newspapers among them the entire leading Yiddish press, were shocked by the death sentence and have asked whether anti-Semitism has not, in this case, found its ultimate and most deadly expression.

We are alarmed because if an individual's political views are proof of "guilty intent" to commit a crime punishable by death, then the lives of none are safe. We are alarmed that traitors to the United States like Axis Sally and Tokyo Rose are sentenced to ten years while a young mother of two children is sentenced to death. We are deeply troubled that this entirely unprecedented sentence was reserved for persons of Jewish faith. We believe that we are not overstating when we say that all minorities, native and foreign torm, will find themselves in dire jeopardy as a result of this unique trial and punishment.

We who have joined together to secure justice in the Rosenberg case differ in our colifical, social, religious and economic views. But we are agreed that the circumstances under which Mr. and Mrs. Rosenberg, and their co-defendant Mr. Morton Sobell, were tried and sentenced establish an ominous precedent that may bring disgrace to our country, as the Dreyfus case brought shame to France.

We hope that after reading this pemphlet you will agree with us that you and your associates and the organizations and houses of worship to which you belong should take steps to repair this wrong.

We urge that you write to President Harry S. Trumen, the Attorney General of the United States asking that the verdict be set aside and a new trial granted. We urge that you write to Judge Irving Kaufman, Federal Court House, New York City, asking that he reconsider his sentence.

As you may undoubtedly realize, this letter and the pamphlet have been made possible only by the voluntary contributions of thousands of persons from all parts of the country. We need additional funds for further printing, for advertisements, and for legal expenses in connection with an appeal to the higher courts. We would appreciate any contribution you might care to make.

Should you want additional copies of this pamphlet they are available at 5¢ each, 100 for \$4, 1000 for \$15. We would be happy to send you additional information, a speakers where possible, and to cooperate with you in establishing local committees to publicize the Rosenberg case.

We look forward to hearing from you.

Yours very sincerely.

JOSEPH BRAININ

Provisional Chairman

# Committee To Secure Justice In The Rosenberg Case

Joseph Brainin, Chairman

David Alman,
Executive Secretary

PRESS RELEASE

246 Fifth Avenue Room 441 New York 1, N. Y. Murray Hill 5-2144

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Dr. Leonard Tush

FOR RELEASE
MARCH 3, 1952

ROSENBERGS CALL APPEALS COURT DECISION \*POLITICAL\*

PRIZE WINNING NOVELIST WARNS AGAINST SPILLING \*BLOOD

OF THE INNOCENT\*

calling the U.S. Appeals Court's decision upholding the verdicts and death sentences a product of
"high political hysteria", Julius and Ethel Rosenberg,
now in Sing Sing's death house, said they share the
faith of thousands of Americans "that the truth will be
known before it is too late," it was announced today by
the Nat'l Committee to Secure Justice in the Rosenberg
case.

The Committee also revealed that Nelson Algren, winner of the National Bookseller's Award for his Man With The Golden Arm, has said that execution of the Rosenbergs would be taking "the blood of the innocent."

"that this whole business is straight out of Cotton

Mather - the execution of a decent man and woman for

non-conformity: no evidence of guilt beyond that has

yet been established... Exactly as though, as a nation,

our consience is so troubled that we hope to gain peace

of mind by offering the blood of the innocent. It is

nothing less than medieval."

(more)

NATIONAL COMMITTEE TO SECURE JUSTICE IN ROSENBERG CASE
Page 2. 3/3/52

Mr. and Mrs. Rosenberg's statement follows:

"Upholding the verdict and death sentences against us does not alter the fact that we are innocent of any crime.

"The death sentence itself is proof of the high political hysteria in which we were tried.

"Now the Appeals Court, swayed by the passions of the moment, tries to make the verdict and sentence acceptable to the public mind by "finding" what was never "found" at our trial, that we were "Communists".

"We can't help but fear for the lives of millions of Americans, parents like ourselves, who by the simple process of being labelled 'Communist', can be made to face what we face today - and for as little reason.

"We are innocent. We know that thousands of Americans, and their number is growing, believe in our innocence. They are working for our vindication. We share their faith that the truth will be known before it is too late."

A large public rally on the Rosenberg Case will be held on March 12, at Pythian Hall, 135 W 70 St., NYC, at 8 PM, at which men and women prominent in American life will give their views on the case.

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TO: THE PRESS

FROM: THE COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE

17 Murray Street, New York, N.Y.

William Reuben, Chairman

BRIEF FOR THE APPEAL OF JULIUS AND ETHEL ROSENBERG FILED IN U.S.COURT OF APPEALS, SECOND CIRCUIT.

Monday, November 5, 1951

The brief for the appeal of Julius and Ethel Rosenberg, convicted in March, 1951 for the crime of espionage, was filed today by Emanuel Bloch, 270 Broadway, attorney for the Rosenbergs, in the Circuit Court of Appeals, Second Circuit.

The basis for the appeal encompasses the following points:

1. The sentence constitutes 'cruel and unusual' punishment in violation of the Eighth Amendment to the Constitution.

# Committee To Secure Justice In The Rosenberg Case

Joseph Brainin, Chairman

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FOR I TOMER TOWNS

.arch 13, 1952

246 Fifth Avenue Room 441 New York 1, N. Y. Murray Hill 5-2144

David Alman, Executive Secretary

-ore than two thousand new Yorkers last night jammed to overflowing

a rublic recting at the Tythian Hall, 135 est 70 treet, to protest the conviction and death-sentence of thell and Julius Posenberg, young Jerish couple convicted of "conspiracy to corrit espionage".

Nelson Algren

Emily Almon

Dr. Herbert Aprileker

Dr. Edward K. Barsky ten O'clock to allow others turned away an opportunity to attend.

The meeting was the first large nublic assembline in New York City on this case. The cheering audience enthusiastically adopted a resolution calling on President Truman and attorney—General +-CGrath not to contest the defense's appeal for a reversal of the verdict and a new trial, when the case is brought before the U.S. Supreme Court.

Nahum Greenberg
Rabbi Louis D. Gross The resolution declared, in part: "It is unthinkable that these
Louise Harding Horr
Rev. Spencer Kennard
DE rents, their families and children should suffer an irrevocable tragHon. Robert Morss Loven
Dr. Bernard Lubba
Dr. John Marsalka edy because of the high rolitical and social ressions which are so wideJohn T. McMannes
Mn. Bessle Mitchell epread today."
Cast Husb M. Maless

"peaker after smeaker joined in pointing to the strong likelihood of the bound been strong to the impression of the implications of anti-bemitism.

'ary Van Vleeck, prominent sociologist, told the audience:

a cruel revelation of breakdown in the hard-up as feguerds of the american system of justice, through the injection into the trial of distorted and hysterial political prejudice... That the price of non-compliance should be death is, indeed, too horible and too cruel to contemplate or to accept in our nation.

Mational Executive Secretary of the Civil Mights Congress, pointed out that genocidal terror against Segrees has now led to the imposition of the death-sentence upon an innocent young Sewish couple, and to the consequent dangers of growing anti-semitism. To stated that the only firm guarantee of a return to the Bill of Sights and democratic principles lay in the unity of Segree and white Americans, struggling to end practices of death and discrimination because of political beliefs or color.

(more)

Ethel and Julius Rosenberg, in a statement issued from the death house, reasserted their absolute innocence.

"We are an ordinary man and wife," their statement read, "and it is inevitable that ordinary people would be grievously persecuted by the history of the past few years. Like others, we spoke for peace because we did not want our two little sons to live in the shadow of war and death. Like others we spoke for the liberty of our fellow citizens because we believe, and want our children to believe in the fine democratic traditions of our country. That is why we are in the death-house today, as a warning to all ordinary men and women like yourselves that there are forces today which hope to silence by death those who speals for peace and democracy."

They added, to their families: "Take hope. You are sitting in the midst of good honest people. They will do everything in their power to bring us together again and to make this a better and happier world."

Other speakers at the rally included o... Goldberg, veteran Jewish journalist; Rev. Spencer Kennard, Biblical scholar and author; "lbert kahn, well-known journalist and writer, author of the best-seller "Sabotage"; killiam Reuben, crusading journalist, who first "broke" the Rosenberg case in a series of published articles; "lelen Sobell, wife of co-defendant worton Sobell; and Joseph Brainin, "nglo-"erdsh journalist, and Chairman of the National Committee to "ecure Justice in the Rosenberg Case.

young which couple were read from the "omen's International Democratic rederation, representing 90 million women in 62 countries; the civil berties Committee of Puerto Mico; the Mational executive League for Democratic mights, in Canada; the Congress of Canadian "omen; the anadian mational rederation of Labor Youth; the Fur Pressers and Pyers Union in New York, and many more.

The Committee announced that it has pamphlets, petitions and leaflets dealing with the cosenberg Case, available for distribution. It was also announced that large public protest meetings were recently held in Chicago and other cities, and that many others are planned in all parts of the country. Local committees are now functioning in this angeles, Baltimore, washington, D. C., Richmond, Va., Chicago, 11., and elsewhere.

# Committee To Secure Justice In The Rosenberg Case

Joseph Brainin, Chairman

David Alman, Executive Secretary PRESS RELEASE

246 Fifth Avenue Room 441 New York 1, N. Y. MUrray Hill 5-2144

MARCH 13, 1952

FOR IMMEDIATE RELEASE

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Dr. Leonard Tushnet

OVERFLOW ROSENBERG MELTING ASKS PRESIDENT CONSENT TO NEW TRIAL. ENDORSES AMIGUS TO SUPREME COURT

Close to 2000 New Yorkers, 500 of them addressed in the street because of lack of space, came to Pythian Hall, 135 W. 70 St. on March 12 at 8 PM, for a meeting on "The Truth in the Rosenberg Case".

The meeting, first large public gathering on this issue, and one of scores of large meetings held recently in many parts of the country, was greeted by telegrams of support from a number of cities, unions, prominent individuals and and groups in Great Britain, Puerto Rico, Canada, Mexico and other lands.

The meeting unanimously adopted a resolution to President Truman, calling upon him to direct the U.S. Attorney General to consent to a new trial for the Rosenbergs and Morton Sobell.

Julius and Ethel Rosenberg, who were convicted on a charge of conspiring to commit espionage and sentenced to death in a trial from which all Jewish jurces had been excluded by the prosecution's challenges, sent a message to the meeting asserting their innocence. It read in

part: "Like others we spoke for peace because we did not want our two little sons to live in the shadow of war and death... That is why we are in the death house today, as a warning to all ordinary men and women like yourselves that there are forces today which hope to silence by death those who speak for peace and democracy." They assured their families, who were in the audience: "You are sitting in the midst of good, honest people. They will do everything in their power to bring us together again and to make this a better and happier world."

The meeting also adopted an Amicus Brief on behalf of the Rosen-

Tickets can still be obtained at the office of the Rosenberg om-

# Committee To Secure Justice In The Rosenberg Case

Joseph Brainin,

David Alman, Executive Secretary

March 4th. 1952

246 Fifth Avenue Room 441 New York 1, N. Y. Murray Hill 5-2144

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Dr. Leonor Dear Mr. Yudin#

Here is some stuff for the first release. I will feed you every day.

Public Meeting will Tell truth about Rosenberg Case

The National Committee To Secure Justice in the Rosenberg case announced today that a public meeting will be held Wednesday warch 12th at the Pythian Hall, 135 West 70 Street in New York. This meeting at which will be reperented numerous communal organizations, Landsmanschaften, trades unions as well as spokemen for the professions, artists, and writers will expose the political hysteria which dominated the trial and which influenced the Court of Appeals in its decision to uphold the conviction.

Prominent speakers , representative of all walks of life will address the public gathering. Joseph Brainin, chairman of the Rosenberg Committee mandax in a statement urged the many thousands who have expressed interest in the Rosenberg case to attend this protest rally against the attempts to railroad Julius and Ethel Rosenberg to the electric chair without giving them an opportunity to prove their innocence at a new trial freem from political hysteria. The second of the se

I leave it to you, dear Yudin, to give it the necessary touch and slant for the Jewish papers.

Sincerely yours

Joseph Brainin

Address your mail to: Joseph Brainin 95 Christopher Street, New York 14, N.Y.

264

### Committee To Secure Justice In The Rosenberg Case

Joseph Brainin, Chairman

David Alman, Executive Secretary 246 Fifth Avenue Room 441 New York 1, N. Y. Murray Hill 5-2144

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Louise Harding Horr Rev. Spencer Kennard Hon. Robert Morss Lo Dr. Bernard Lubka

Dr. John Marsalka

John T. McManus Mrs. Bessie Mitchell Capt Hugh N. Mulz William Rouben

Dr. John L. Simen Leon Streen Lois Timmins Elizabeth Todd Dr. Leonard Tusheet Mr. Yudin Freiheit 50 E 13 Street New York City New York.

March 7, 1952

Dear Mr. Yudin:

I would appreciate it if you would mail the Yiddish copies to

The Day Morning Journal Forward

Thanks.

Yours very truly Joseph Brainin Chairman

264

Dear Yudin;

This release is intended for the Freiheit and the peres of Tuesday. I would thank you again, if you would mail : it your story directly- minerax since there is Day, Morning Journal and Forward. But for Rue obey would have to be choused for is no time - to to the weduenday Tought. Thanks

Joseph Brainin

#### Save-The-Rosenbergs-Meeting Tomorrow

Tomorrow evening's meeting at the Pythian Hall, 135 West 70th. Street promises to be one of the most impressive and imposing mass demonstrations ever held in the city of New York, according to reports from the National Committee To Secure Justice In The Rosenberg Case, under whose auspices the gathering is being held. Among the speakers who will tell to what is expected an overflowing audience the truth about the Rosenberg case are eminemation eminent scientists and scholars and some of our foremost communal leaders and progessive fighters. Mary Van Kleeck's address at Wednesday's meeting will be her first public appearance in the last three years. One of America's greatest sociologists, Miss Van Kaceck will make an important statement on the dangerous trends of American law institutions towards a police state. Much interest has also been aroused in the participation of Rabbi Louis D. Gross, the militant editor of the Jewish Examiner and Reverend Spencer Kennard one of the recognized great biblical scolars of today. William Patterson, the world famous Nggro leader just back from Europe and William heuben, the internationally famous journalist who broke the Trenton Six case will also have important statements to make in their speeches. Among the other speakers are: Albert E. Kahn, the author, B Z. Goldberg, the popular columnist and cultural leader and S. Federman, the president of the Tederation of Polish Jews . One of the highlights of the meeting will be the first public appearance of Helen Sobell, wife of Morton Sobell, a victim of the Rosenberg trial who was sentenced to 30 years prison. Joseph Brainin chairman of the Committee will preside.

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Tickets can still be obtained at the office of the Rosenberg om-

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## Committee To Seture Justice In The Rosenberg Case

Joseph Brainin, Chairman David Alman, Executive Secretary

PRESS REFEASE

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ROSENBERG ATTORNEY SUBMITS ARGUMENTS FOR REHEARING
BY U. S. CIRCUIT COURT OF APPEALS

Emanuel Bloch, attorney for Julius and Ethel Rosenberg, now in Sing Sing's death house, today (March 11) submitted an appeal for a re-hearing before the U.S. Circuit Court of Appeals which several weeks ago upheld the convictions and death sentences of the young Jewish couple.

FOR RELEASE

Among other arguments advance for a rehearing were the following:

- 1) That the U.S. Circuit Court's opinion that membership in a Communist organization, flatly denied by the Rosenbergs, could showed disposition promomit espionage, contradicted the U.S. Supreme Court's opinion in the Schneiderman case: "...beliefs are personal and not a matter of mere association, and that men in adhering to a political party or other organization notobiously do not subscribe unqualifiedly to all of its platforms or asserted principles".
- 2) That although the indictment charged the Rosenbergs with "espionage", the prosecution throughout the
  trial attempted to make the jury believe that they were
  being tried for treason, thus inlaming the jury by alluding to a
  greater orime which he did not have to prove in order to win a
  conviction for a lesser crime which he could not prove.
- 3) That the Circuit Court's opinion that an inflamed jury was a natural hazard in such a case deprived the Rosenbergs of protection from bias which they have a right to expect in
  the higher courts.
- 4) That the trial judge's practise of emphasizing prosection testimony and belittling defense testimony to the jury could not be erase d by a few words of caution. Mr. Bloch said, in his new argument: "A jury impregnated with 3 weeks of impressions of an attitude of constant judicial disfavor towards these defendants,

2. (Rosenberg)

coupled with its respect for the authority of the bench, must defy the accepted laws of psychological behavior to be able to free their assailed minds and to restore lost objectivity by the patent of a three-minute homily."

Full facts on the case will be aired at a "Truth in the Rosenberg Case" public meeting today (March 12), at Pythian Hall, 135 W 70 St., 8 PM.

The meeting will be addressed by Rabbi Louis D.
Gross, editor of the Jewish Examiner, Mary Van Kleeck, sociologist,
William L. Patterson, civil rights leader, William Reuben, journalist who first "broke" the Trenton Six case, and whose articles and
pamphlet on the Rosenberg Case have stirred world-wide interest,
Mrs. Helen Sobell, wife of one of the co-defendants now in prison,
B. Z. Goldberg, Jewish journalist, Rev. Spencer Kennard, Biblical
scholar and writer, Albert Kahn, well known author, and by Joseph
Brainin, who will chair the meeting.

A message from the Rosenbergs will be read to the audience, as well as messages of support from all over the country and abroad.

Contributed

## Committee To Secure Justice In The Rosenberg Case

Joseph Brainin, Chairman FOR IT COLUMN NOTES AND

1.000

. arch 13, 1952

246 Fifth Avenue Room 441 New York 1, N. Y.

MUrray Hill 5-2144

David Alman, Executive Secretary

Aublic set m at the lathic Well 135 est 70 threat to protect

a tublic seting at the Tythian Hall, 135 est 70 'treet, to protest

SPONSORS (Partial List) the conviction and death-sentence of Ithel and Julius Mosenberg, young

Jewish couple convicted of "conspiracy to convit espionage".

Nelson Algren Emily Alman

Because of the size of the crowd, hundreds left their seats at

Dr. Herbert Aptheker Ivan Von Auw

Dr. Edward K. Bankiten o'clock to allow others turned away an opportunity to attend.

Prof. E. Berry Bergum
Alice Hill Byrne

The meeting was the first large public assemblage in New York City

Prof. Ephraim Cross Marjorie DiSilva

John F. Cleve

on this case. The cheering audience enthusiastically adopted a resolu-

Dr. Katherine Dodd

Dr. W. E. B. DuBois tion calling on President Trumen and attorney-General acGrath not to con-

Gertrude Evans Waldo Frank

Waldo Frank test the defense's appeal for a reversal of the verdict and a new trial,

B. Z. Goldbera

when the case is brought before the U.S. Supreme Court.

Shirley Graham Nahum Greenberg

Robbi tooks D. Gross The resolution declared, in part: "It is unthinkable that these

Louise Harding Horn

Rev. Spencer Kennerd parents, their families and children should suffer an irrevocable trag-

Dr. Bernard Lubka

Dr. John Marsalka edy because of the high colitical and social passions which are so wide-

John T. McMonus

Mrs. Besie Mitchell spread today."

Capt Hugh N. Mubsoc

William Reuben
Dr. John L. Simon

Speaker after speaker joined in pointing to the strong likelihood of

Leon Straus Lois Timmins

the innocence of the Posenbergs and their co-defendant Forton Sobell,

Elizabeth Todd

Dr. Leonard Tusheetas well as to the unprecedented political nature of the trial and ver-

dict, and the implications of anti-Semitism.

Tary Van Fleeck, prominent sociologist, told the audience:

a cruel revelation of breakdown in the hard-won safeguards of the american system of justice, through the injection into the trial of distorted and hysterial political prejudice... That the price of non-compliance should be death is, indeed, too horible and too cruel to contemplate or to accept in our nation.

Ming Bessie to St the English with the State and State of the State of

National Acceptive depretary of the livil mights Company pointed out that genocidal terror against "egroes has now led to the imposition of the death-sentence upon an innocent young "endsh couple, and to the consequent dangers of growing anti-semitism. "stated that the only firm guarantee of a return to the Bill of "ights and democratic principles lay in the unity of "egro and white "mericans, struggling to end practices of death and discrimination because of political beliefs or color.

(more)

Ethel and Julius Rosenberg, in a statement issued from the death house, reasserted their absolute innocence.

"We are an ordinary man and wife," their statement read, "and it is inevitable that ordinary people would be grievously persecuted by the history of the past few years. Like others, we spoke for peace because we did not want our two little sons to live in the shadow of war and death. Like others we spoke for the liberty of our fellow citizens because we believe, and want our children to believe in the fine democratic traditions of our country. That is why we are in the death-house today, as a warning to all ordinary men and women like yourselves that there are forces today which hope to silence by death those who speak for peace and democracy."

They added, to their families: "Take hope. You are sitting in the midst of good honest people. They will do everything in their power to bring us together again and to make this a better and happier world."

Other speakers at the rally included D.L. Goldberg, veteran Jewish journalist; Rev. Spencer Kennard, Biblical scholar and author; albert Kahn, well-known journalist and writer, author of the best-seller "Sabotage"; killiam Reuben, crusading journalist, who first "broke" the Rosenberg case in a series of published articles; Melen Sobell, wife of co-defendant worton Sobell; and Joseph Brainin, anglo-Jewish journalist, and Chairman of the National Committee to Secure Sustice in the Rosenberg Case.

young Jewish couple were read from the "omen's International Democratic Federation, representing 90 million women in 62 countries; the Civil Liberties Committee of Puerto Tico; the National Executive League for Democratic Tights, in Canada; the Congress of Canadian "omen; the anadian Mational Federation of Labor Youth; the Fur Pressers and Tyers Union in New York, and many more.

The Committee announced that it has pamphlets, petitions and leaflets dealing with the Cosenberg Case, available for distribution. It was also announced that large public protest meetings were recently held in Chicago and other cities, and that many others are planned in all parts of the country.

Local committees are now functioning in tos angeles, Baltimore, Mashington,

D. C., Richmond, Va., Chicago, tl., and elsewhere.

### Committee To Secure Justice In The Rosenberg Case

Joseph Brainin, Chairman

David Alman, **Executive Secretary**  246 Fifth Avenue Room 441 New York 1, N. Y. MUrray Hill 5-2144

SPINKERS AND EXCERPTS MOL STATEMENT PUBLI RALLY: "THE TRUTH ABOUT THE LOSENHERG CASE".
"EDX., LARCH 12; PYTHIA: HALL, 135 . 70 St.

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Leon Straus

Lob Timmina

Elizabeth Todd Dr. Leonard Tushnet SECKMES: JOSEH BRAIMIN - veteron engl-Jerish journelist; Chairman, National Committee to Secure Justice in the Accemberg Case.

TILLIE ROUGH - cruscing journalist who first "broke" the "Trenton Six" case. His articles on the bosenbergs have stirred worldride attention. LINKY WIN KIEECK - industrial sociologist; member of Imerican Sociol-

ogical Society, American Sconomic Association, Fellow of American Statistic Association and of American Association for Advancement of Science.

HELEN SOMELL - wife of morton Sobell, one of the defendents, sentenced to 30 years in jail.

Nazi 5th Column activities in the U.S.; "Light Tresson", etc.
TILLIAL L. F. TTLESON - Exec. Secy., Civil Lights Congress, editor
of petition to UH: "The Charge Genocide", essociated with civil rights struggles from time of Sacco-Venzetti on.

B.Z. GOLDERE - columnist, "Jevish Day". Journalist and Triter.

REV. SPINCEL KENNALD - femous diblical scholer and author. . . . .

<すがT近別TS: (Axoerpts)

by Mary Van Kleeck:
"The sentence of death imposed upon thel and Julius hosenberg is a cruel revelation of breekdown in the herd-won safeguards of the emerican system of justice, through the injection into the trial of distorted and hysterical political prejudice... Careful reading of the record in the trial of the Losenbergs raises grave doubts that guilt has been proved. Indeed, it establishes a strong presumption of innocence..

"...That the price of political non-compliance should be deeth is, indeed, too horrible and too cruel to contemplate or

to scoopt in our nation." L.

by Rabbi Louis D. Gross, ditor "Jerish Examiner" - reed at helly. "Liter ploring through volumes of the evidence presented in this tragic case, I am not convinced beyond a reasonable doubt that the losenbergs are guilty. Of one thing I'm sure. Had the triel been conducted et the time, or shortly efter the elleged crime

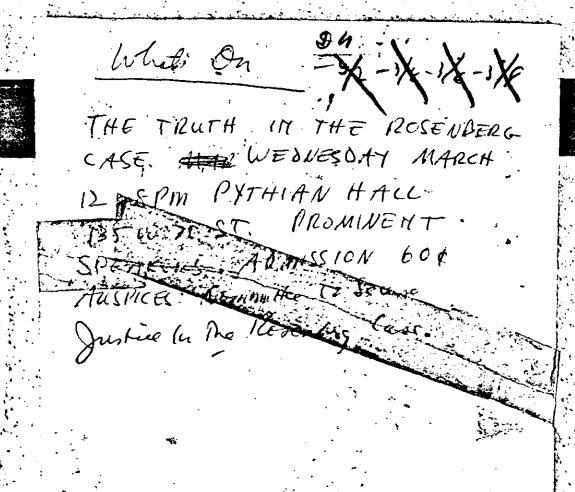
Tes committed in 1944-45, then the US and Russia were allies, the result rould

meve been different.

"hy did Judge Keufmen in this case impose the extreme penalty? being Jerish, feel that he res on the spot because he res dealing with Jerish defendents! Did he think that the death sentence against the kosenbergs res necessary to counteract the anti-Semitic charge of Communism against Jere in general? epperently the Judge has not learned that anti-Semitism has nothing do do with the truth."

by Ethel and Julius hosenberg - reed at the relly.

that ordinary people rould be grievously persecuted by the history of the pest for years. Like others we spoke for peace because we did not went our two dittle sons to live in the shadow of war and death. Like others we spoke for the liberty of our fellor citizens because re believe, and rent our children to believe in the fine democratic traditions of our country. That is thy to are in the death-house today, as a warning to all ordinary men and roman like yourselves that there are forces today which hope to silence by death those who speak for perce and democracy."



## A IMOTHER WRITES IFROM THE IDEATH HOUSE:

## "We Are Innocent"

Ethel Rosenberg

### THE TRUTH LABOUT THE PROSENBERG CASE

## PUBLIC MEETING

\*\*WEDNESDAY MARCH12-8:PM

PYTHIAN HALL

\*\*\*\*

#### PROMINENT SPEAKERS

Admission: 760 cents

Auspices: National Committee to Secure

Case The Rosenberg Case

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##BURGUM, \$\times CAPT. \$\times HUGH \$\times N. \$\times MULZAC, B. Z.

GOLDBERG, \$\times PROF. \$\times PHRAIM \$\times CROSS, \$\times WALDO \$\times FRANK, \$\times MRS. \$\times BESSIE \$\times MITCHELL, \$\times JOHN T. \$\times McManus, LEON STRAUS, etc.

#### THE FACTS

On April 5, 1951, Julius and Ethel Rosenberg, parents of two small children, were sentenced to die in the electric chair for a crime they deny committing—conspiring to commit espionage.

#### AMERICA ASKS

Why did the Circuit Court uphold the verdict and sentence after admitting that hysteria helped convict them?

Does the court's opinion that certain social views are grounds for accusations of espionage and death sentences menace the liberties and lives of millions of Americans?

Did Ethel Rosenberg's brother, David Greenglass, negotiate with the Government to save his neck by sending his sister and brother-in-law to the death house?

Why didn't the Government permit a single Jewish juror to sit on the case?

## THESE QUESTIONS AND OTHERS WILL BE ANSWERED ON

WEDNESDAY, MARCH 12 - 8 PM
PYTHIAN HALL - 135 W. 70 ST.

For tickets and further information write to:
NATIONAL COMMITTEE TO SECURE JUSTICE
IN THE ROSENBERG CASE

246 Fifth Ave. - MU 5-2144

WRITE TO PRESIDENT TRUMAN — ASK THAT HE TAKE STEPS TO REVERSE THE BIASED VERDICT AND BRUTAL DEATH SENTENCE!

## Committee To Secure Justice In The Rosenberg Case

PRESS RELEASE

Joseph Brainin, Chairman

David Alman, Executive Secretary FOR RELEASE

MARCH 20, 1952

246 Fifth Avenue Room 441 New York 1, N. Y. Murray Hill 5-2144

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Dr. Leonard Tushnet

1000 SIGN ROSENBERG AMICUS PETITION IN FIRST WEEK.
NATIONWIDE MEETINGS UNDER WAY

loop Americans have already signed an Amicus Brief on behalf of Julius and Ethel Resemberg, now in Sing Sing's death house, and Morton Sobell, under a 30 year sentence, to be presented to the Supreme Court if current appeals for a rehearing by the U.S. Court of Appeals are denied, it was announced today by Joseph Brainin, Chairman of the National Committee to Secure Justice in the Rosenberg Case.

The Amicus petition was initiated at an overflow public meeting on the case on March 12 at Pythian Hall in New York City.

Every major state is represented by the signers, among whom are automobile workers, lawyers, housewives, doctors, needle trades workers, and farmers.

The Committee also announced that large public meetings are scheduled within the next month in Les Angeles, Detroit, Cleveland, Philadelphia, Washington D.C., and other cities.

In the New York-New Jersey area alone there will be held 15 neighborhood meetings in the next 15 days. These will be in Lakewood, N.J.; West Bronx; Flushing; Parkshester; Coney Island; Bath Beach; Brighton Beach; Bensonhurst; East New York; lower East Side Manhattan; Cedarhurst, L.I.; New Rochelle; Yorkville, and elsewhere.

Among the speakers at these local meetings will be Mr. William Reuben, journalist who first brought the case to world-wide attention; Mrs. Helen Sobell, wife of Morton Sobell; Mr. Joseph Brainin, journalist and Chairman of the Committee; Mrs. Emily Alman, Committee Treasurer; Albert Kahn, internationally known writer; and others.

## Committee To Secure Justice In The Rosenberg Case

RELEASE

Joseph Brainin, Chairman

David Alman, Executive Secretary FOR RELEASE

MARCH 80, 1952

246 Fifth Avenue 'Room 441

New York 1, N. Y. MUrray Hili 5-2144

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Elizabeth Todd

Dr. Leonard Tushi

# AMICUS BRIEF in the ROSENBERG CASE

We BELIEVE that the trial of Julius and Ethel Rosenberg and Morton Sobell on a charge of conspiring to commit espionage, which resulted in death sentences for the Rosenbergs and a 30 year sentence for their co-defendant, lacked gurantees of fairness which all Americans have a right to expect under the Constitution.

WE BELEIVE that the Prosecutor and Trial Judge permitted fear and prejudice to dominate the trial by 1) attributing to the defendants social beliefs which are today the target of virtually every public tribunal, and 2) attributing to them reversals and casualties suffered in Kores.

WE BELIEVE that transient political and social passions have no place in our courts, that to deprive even one American of the right to a fair trial is to injure the rights of all Americans.

WE THEREFORE authorize the inclusion of our names in an Amicus Brief to the Supreme Court of the United States, petitioning that the verdicts and sentences be set aside, and that a new trial be ordered, based on Constitutional guarantees of impartiality and fairness in accordance with the best traditions of American Justice.

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ease return to:	NATIONAL COMMITTEE New York 1, N. Y., I	TO SECURE JUSTICE IN THE	HE ROSENBERG CASE, 246	5th Avenue,
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igners of an Amis	cus Brief act as friends of the	e court, petitioning because the	y believe sa important princ	upie is et steke.

## Committee To Secure Justice In The Rosenberg Case

Joseph Brainin, Chairman

David Alman, **Executive Secretary** 

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FOR RELEASE

MARCH 9, 1952

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Dr. Leonard Teshnot

Mrs. Bessie Mitchell Capt Hugh N. Mulzac William Reuben Dr. John L. Simon Leon Straus Lois Timmins Elizobeth Todd

RELIGIOUS, CIVIL RIGHTS LEADERS TO SPEAK AT PUBLIC MEETING MARCH 12

Rabbi Louis D. Gross, editor of the Jewish Examiner, Mary Van Kleeck, eminent sociologist, and . William L. Patterson, head of the Civil Rights Congress, are among the speakers who will appear at a Merch 12 public meeting at Pythian Hall, 135 W 70 St., to hear the truth in the Rosenberg Case.

A message from Julius and Ethel Rosenberg, now in Sing Sing's death house, will be read to the meeting.

Other speakers are Mrs. Helen Sobell, wife of Morton Sobell, a co-defendant sentenced to 30 years; Rev. Spencer Kennard, famous Biblical scholar; B. Z. Goldberg, well known Jewish journalist; Albert Kahn, world famous author; S. Federman, Chairman of the United Landsmanshaften Societies; and William Reuben, crusading journalsit whose articles on the case have aroused widespread interest all over the world.

Messages from prominent public figures, labor leaders, and others, will be read at the meeting.

The March 12 meeting is one of many that have taken place er are in preparation in ecery major city in the country.

## Committee To Secure Justice In The Rosenberg Case

Joseph Brainin, Cháirman

David Alman, Executive Secretary 246 Fifth Avenue Room 441 New York 1, N. Y. Murray Hill 5-2144

JUSTICE DEPARTMENT TO CONSIDER REQUEST FOR CONSENT TO NEW TRIAL FOR ROSENBERGS SOBELL

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Elizabeth Todd

Dr. Leanard Turknut

For Immediate Release. The Department of Justice has agreed to give consideration to a request for a new trial for Edith and Julius Rosenberg, who face the death sentence, and for Morton Sobell, beginning a 30-year prison term, it was announced today by the National Committee to Secure Justice in the Rosenberg Case.

The Justice Department's attitude was set forth by A. F. Oehman, Special Assistant to Attorney General J. Howard McGrath, in an interview with a delegation of ten people from New York, Connecticutt and Washington, D. C. Mr. Oehman, in an hour and a half discussion, maintained that his Department had no authority to interfere with the workings of the courts. Delegates, insistent upon expressing the views of the many thousands they were representing, succeeded in overcoming this evasion, and elicited the reductant statement from Mr. Oehman that the Department would give their request due consideration.

Members of the delegation, which secured the appointment with the Attorney General's representative as part of a program of actions on Friday, March 28th, "Rosenberg Day," included Rev. Spencer Kennard, Mrs. Bessie Mitchell, and Mrs. Emily Alman of New York City, and Dr. John Marsalka of New Haven, Conn.

While the delegates were meeting in Washington, the many Rosenberg committees throughout the country led a telephone and telegram campaign directed to the Department of Justice and its local offices, which resulted in thousands of messages requesting a new trial.

The delegation declared in an statement that they represented "many thousands of Americans who have come to believe that the cases of Ethel and Julius Rosenberg and Morton Sobell represent a serious danger both to Constitutional guarantees of fairness and to the humane standards which constitute the moral fiber of our country's judicial tradition."

## Committee To Secure Justice \_\_\_\_\_ In The Rosenberg Case

Joseph Brainin, Chairman

David Alman, Executive Secretary 246 Fifth Avenue Room 441 New York 1, N. Y. MUrray Hill 5-2144

\*MARCH 28 - ROSENBERG DAY\* GETS WIDE SUPPORT; CATHODIC EDITOR AMONG AMICUS SIGNERS

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#### For Release Wednesday, March 26.-

Thousands of Americans will take joint action on Friday, March 28th in calling for a new and fair trial for Julius and Ethel Rosenberg, now in Sing Sing's death house, and for Morton Sobell, under a 30-year sentence, it was announced today by Joseph Brainin, chairman of the National Committee to Secure Justice in the Rosenberg Case.

While a delegation of prominent citizens calls upon Attorney General J. Howard McGrath in Washington D. C., others will telephone and wire the Attorney General and visit local Department of Justice offices.

The mation-wide action has been called, Mr.

Brainin stated, in order to give immediate voice to
the swelling demand for justice in the Rosenberg
case, as illustrated by the thousands who have
already signed the Amicus Brief, among the latest of
whom is Dorothy Day, editor of the Catholic Worker.

In addition to the Committees functioning in key cities across the nation, new Rosenberg Committees have been established during the last week in eight cities in Virginia, Georgia, Louisianna, South Carolina and North Carolina.

Mr. Brainin asked for the widest participation in the March 28th action, urging that in addition to visiting local Department of Justice offices, all Committees, other woncerned groups and individuals wire or telephone the Attorney General in Washington.

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#### A FACT SHEET ON ANTI-SEMITISM IN THE CASE: NEWSPAPER COMMENT

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Did anti-Semitism play a part in the case of Ethel and Julius Rosenberg and Morton Sobell (the Rosenbergs were sentenced to death, Sobell to 30 years for alleged atomic espionage)? The following newspaper comment, mainly from the Yiddish and the English-Jewish press, thelps answer this question.

Although the following extract from the NEW YORK TIMES (December 26, 1951) does not refer directly to the case, it is relevant: "Oak Ridge, Tenn., Dec. 25 (UP) - The Government said today it was less concerned about Communists and saboteurs than about hoodlums .... United States law enforcement officials gave two reasons for the apparent absence of Communists here: 1) a predominance of pure Anglo-Saxon stock. ..."

RABBI G. GEORGE FOX in the SENTINEL: Chicago English Jewish weekly, (Feb. 7, 1952): "...When Julius and Ethel Rosenberg were condemned to death for allegedly giving secret information to enemy spies, I condemned the verdict and accused the presiding judge, who happened to be a Jew, of leaning over backward in his desire to show that Jews condemn treason ... (His decision) will be found unjust, if not illegal... I believe strongly that a grass roots letter and telegram protest to President Truman will get those who are moved by the injustice of the decision, to some action." (Feb. 14, 1952): "The Jewish angle is important as a matter of our public relations. The death of the Rosenbergs for treason, even though undeserved, will give our enemies a handle to a paddle which will never be out of use. Let us avoid such a possibility."

RABBI LOUIS D. GROSS, publisher of the JEWISH EXAMINER, (March 14, 1952): "After plowing through volumes of the evidence presented in this tragic case, I am not convinced beyond the shadow of a doubt, that the Rosenbergs are guilty ... It is quite possible, and very disturbing, to feel that the hapless Rosenberg couple may have been victimized by the anti-Communist hysteria which has been sweeping this country with deadly effect ... Why did Judge Kaufman in this case impose the extreme penalty? ... Did he think the death sentences against the Rosenbergs was necessary to counteract the anti-Semitic charge of Communism against Jews in general? Apparently this jurist has not learned that anti-Semitism has nothing to do with the truth."

JEWISH DAILY FORWARD (April 6, 1951): "When we editors got the news that Julius and Ethel Rosenberg were sentenced to death, a shudder passed through all of us ... We are certain that every Jew who read this sad news felt this way. From our hearts came the words, 'Death sentence, too horrible' ... Every Jewish home will be shattered by this tragedy."

THE JEWISH DAY, editorial (April 8, 1951): "Judge Kaufman's verdict is more in harmony with the time in which we live at present than with the time during which the crime was committed. We hope that a way will be found to set aside the death sentence."

PHINEAS J. BIRON, Syndicated English-Jewish columnist, in the INDIANAPOLIS JEWISH CHRONICLE (March 7, 1952): "... Not a single jury member was Jewish and this in the city of New York, which has a Jewish population amounting to one third of the total population ... Strange, or rather sinister, if you ask us." (November 9, 1951): "It is not for us to decide whether the Rosenbergs are guilty, but from what we have read of the legal proceedings we have come to the conclusion that more than reasonable doubt exists as to their guilt."

SAMUEL B. GACH, publisher of the CALIFORNIA JEWISH VOICE, (February 29, 1952): "My only concern was why a Jewish judge had to ... decide a death penalty for peacetime espionage and so scribble a shameful precedent on the pages of American jurisprudence. It could only have been because the legal killer, Judge Irving Kaufman, is a Jew, and the defendants were Jews; and to prove that he was unbiased, he acquiesced to legal murder in the time of national hysteria and only because the berobed and politically announted punk was a scared and synthetic American

and a weaker than no-good Jew ... I abhor the death sentence and despise the judge who proclaimed it." (March 7, 1952) (In reply to criticism for his position on the case): "Was Judge Kaufman in full command of his emotional balance when he passed sentence? Are any of us vacuumed against the witch-hunting hysteria? ..." (March 14, 1952): "The domestic Hitlers and anti-Semites will wield the degradation of the Rosenbergs as a codge! with which to bludgeon ALL Laws We shall continue WOT as a cudgel with which to bludgeon ALL Jews ... We shall continue NOT to be silent."

M. DANZIS, then Editor, in the JEWISH DAY (April 12, 1951): "The death sentence which Judge Kaufman passed on the Rosenbergs left bitter death sentence which Judge Kaufman passed on the mosendergs left bitter doubts as to the justice of the verdict and above all, about the note which the judge sounded in his summary before the jury. ... The fact is, that the Rosenberg trial was Jewish throughout because of the fact that the accused, the judge, the prosecutor and the lawyer were all Jewish. The press made a point of it. In Hearst's Daily Mirror there was an editorial saying that those who do not wish to accuse all Jews of Communism because of the Rosenbergs, should not forget that the prosecutor who conducted the trial against the Rosenbergs, and the judge who condemned them to death, are themselves Jewish. In other words. who condemned them to death, are themselves Jewish. In other words, that Judge Kaufman and prosecutor Saypol are atoning not only for the sins of the Rosenbergs, but of all other Jews.

"The death sentence which Judge Kaufman issued left the feeling

that precisely because he is a Jew, he went to an extreme and applied the heavy hand of judgment ... There is a suspicion that the fact that Judge Kaufman is a Jew perhaps unconsciously motivated him to issue a verdict which, in the opinion of many, is considered to be unjust and brutal ... One cannot overlook the Jewish element in this unfortunate, tragic Rosenberg trial ... if the Rosenbergs are, as Judge Kaufman has said, guilty of the death of 50,000 American soldiers in Korea, one can easily hold the Rosenbergs and their like responsible for the atom

war against America.
"Has Judge Kaufman considered to what his speech can lead?"

H. LEIVIK, well-known Yiddish poet, in the JEWISH DAY, (April 16, 1951): "What led the judge to give the extreme penalty (to Ethel Rosenberg)? Is it not perhaps the fact that the judge is a Jew and the defendants are Jews? The judge was confronted with the bitter fact that those tried for treason were Jews. He himself, a Jew struggled with his duty to be objective and did not have the strength to rise above himself, did not have the power to free himself from today's heated tensions in the land, and was also afraid that perhaps, if he were not to give them the death penalty, he would be suspected of not having done so because he is a Jew ... Precisely because against the accused Jews stood Jewish accusers and a Jewish judge, whose loyalty to America is beyond a shadow of a doubt -- precisely because the judge should have been free from every Jewish complex - he should under no effective them. circumstances have issued the death sentence in this trial against the mother of two children ... It is hard to accept the severity of the verdict ... The death penalty should be changed.

LOUIS HARAP, Managing Editor of JEWISH LIFE, (January 1952): has been said that no anti-Semitism intruded into the trial itself. But this is to overlook the fact that Irving Saypol, the Jewish prosecutor, did not permit a single Jew, of the three hundred jurors in the panel, to sit on the jury ... Irving Saypol as is now widely known, was admonished by the Court of Appeals in August 1951, for his appeals, to 'racial prejudice' against a Jewish witness in the Remington case."

In an article in the CANADIAN JEWISH WEEKLY (February 28, 1952): "A study of the details of the case shows that it will go down in history as a parallel to the Dreyfus case -- and the Sacco-Vanzetti case.

For additional material and inquiries, write to NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE, 246 Fifth Avenue, New York, N.Y.

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FROM CS NY 4261

A FACT SHEET ON ANTI-SEMITISM IN THE CASE: NEWSPAPER COMMENT

783 W. B.

Did anti-Semitism play a part in the case of Ethel and Julius Rosenberg and Morton Sobell (the Rosenbergs were sentenced to death, Sobell to 30 years for alleged atomic espionage)? The following newspaper comment, mainly from the Yiddish and the English-Jewish press, helps answer this question.

Although the following extract from the NEW YORK TIMES (December 26, 1951) does not refer directly to the case, it is relevant: "Oak Ridge, Tenn., Dec. 25 (UP) - The Government said today it was less concerned about Communists and saboteurs than about hoodlums .... United States law enforcement officials gave two reasons for the apparent absence of Communists here: 1) a predominance of pure Anglo-Saxon stock. ..."

RABBI G. GEORGE FOX in the SENTINEL: Chicago English Jewish weekly, (Feb. 7, 1952): "...When Julius and Ethel Rosenberg were condemned to death for allegedly giving secret information to enemy spies, I condemned the verdict and accused the presiding judge, who happened to be a Jew, of leaning over backward in his desire to show that Jews condemn treason ... (His decision) will be found unjust, if not illegal ... I believe strongly that a grass roots letter and telegram protest to President Truman will get those who are moved by the injustice of the decision, to some action." (Feb. 14, 1952): "The Jewish angle is important as a matter of our public relations. The death of the Rosenbergs for treason, even though undeserved, will give our enemies a handle to a paddle which will never be out of use. Let us avoid such a possibility."

RABBI LOUIS D. GROSS, publisher of the JEWISH EXAMINER, (March 14, 1952): "After plowing through volumes of the evidence presented in this tragic case, I am not convinced beyond the shadow of a doubt, that the Rosenbergs are guilty ... It is quite possible, and very disturbing, to feel that the hapless Rosenberg couple may have been victimized by the anti-Communist hysteria which has been sweeping this country with deadly effect ... Why did Judge Kaufman in this case impose the extreme penalty? ... Did he think the death sentences against the Rosenbergs was necessary to counteract the anti-Semitic charge of Communism against Jews in general? Apparently this jurist has not learned that anti-Semitism has nothing to do with the truth."

JEWISH DAILY FORWARD (April 6, 1951): "When we editors got the news that Julius and Ethel Rosenberg were sentenced to death, a shudder passed through all of us ... We are certain that every Jew who read this sad news felt this way. From our hearts came the words, 'Death sentence, too horrible' ... Every Jewish home will be shattered by this tragedy."

THE JEWISH DAY, editorial (April 8, 1951): "Judge Kaufman's verdict is more in harmony with the time in which we live at present than with the time during which the crime was committed. We hope that a way will be found to set aside the death sentence."

PHINEAS J. BIRON, Syndicated English-Jewish columnist, in the INDIANAPOLIS JEWISH CHRONICLE (March 7, 1952): "... Not a single jury member was Jewish and this in the city of New York, which has a Jewish population amounting to one third of the total population ... Strange, or rather sinister, if you ask us." (November 9, 1951): "It is not for us to decide whether the Rosenbergs are guilty, but from what we have read of the legal proceedings we have come to the conclusion that more than reasonable doubt exists as to their guilt."

SAMUEL B. GACH, publisher of the CALIFORNIA JEWISH VOICE, (February 29, 1952): "My only concern was why a Jewish judge had to ... decide a death penalty for peacetime espionage and so scribble a shameful precedent on the pages of American jurisprudence. It could only have been because the legal killer, Judge Irving Kaufman, is a Jew, and the defendants were Jews; and to prove that he was unbiased, he acquiesced to legal murder in the time of national hysteria and only because the berobed and politically amounted punk was a scared and synthetic American

and a weaker than no-good Jew ... I abhor the death sentence and despise the judge who proclaimed it." (March 7, 1952) (In reply to criticism for his position on the case): "Was Judge Kaufman in full command of his emotional balance when he passed sentence? Are any of us vacuumed against the witch-hunting hysteria? ..." (March 14, 1952): "The domestic Hitlers and anti-Semites will wield the degradation of the Rosenbergs as a cudgel with which to bludgeon ALL Jews ... We shall continue NOT

M. DANZIS, then Editor, in the JEWISH DAY (April 12, 1951): death sentence which Judge Kaufman passed on the Rosenbergs left bitter death sentence which Judge Kaufman passed on the Mosenbergs left bitter doubts as to the justice of the verdict and above all, about the note which the judge sounded in his summary before the jury. ... The fact is, that the Rosenberg trial was Jewish throughout because of the fact that the accused, the judge, the prosecutor and the lawyer were all Jewish. The press made a point of it. In Hearst's Daily Mirror there was an editorial saying that those who do not wish to accuse all Jews of Communism because of the Rosenbergs, should not forget that the prosecutor who conducted the trial against the Rosenbergs, and the judge who condemned them to death, are themselves Jewish. In other words, who condemned them to death, are themselves Jewish. In other words, that Judge Kaufman and prosecutor Saypol are atoning not only for the

that Judge Raulman and prosecutor Saypol are atoning not only for the sins of the Rosenbergs, but of all other Jews.

"The death sentence which Judge Kaufman issued left the feeling that precisely because he is a Jew, he went to an extreme and applied the heavy hand of judgment ... There is a suspicion that the fact that Judge Kaufman is a Jew perhaps unconsciously motivated him to issue a wardict which, in the opinion of many is considered to be unjust and verdict which, in the opinion of many, is considered to be unjust and brutal ... One cannot overlook the Jewish element in this unfortunate, tragic Rosenberg trial ... if the Rosenbergs are, as Judge Kaufman has said, guilty of the death of 50,000 American soldiers in Korea, one can easily hold the Rosenbergs and their like responsible for the atom war against America.

Has Judge Kaufman considered to what his speech can lead?"

H. LEIVIK, well-known Yiddish poet, in the JEWISH DAY, (April 16, 1951): "What led the judge to give the extreme penalty (to Ethel Rosenberg)? Is it not perhaps the fact that the judge is a Jew and the defendants are Jews? The judge was confronted with the bitter fact that those tried for treason were Jews. He himself, a Jew strugfact that those tried for treason were Jews. He himself, a Jew struggled with his duty to be objective and did not have the strength to
rise above himself, did not have the power to free himself from today's
heated tensions in the land, and was also afraid that perhaps, if he
were not to give them the death penalty, he would be suspected of not
having done so because he is a Jew ... Precisely because against the
accused Jews stood Jewish accusers and a Jewish judge, whose loyalty
to America is beyond a shadow of a doubt -- precisely because the judge
should have been free from every Jewish complex - he should under no
mother of two children... It is hard to accept the severity of the
verdict ... The death penalty should be changed."

LOUIS HARAP, Managing Editor of JEWISH LIFE, (January 1952): "It has been said that no anti-Semitism intruded into the trial itself. But this is to overlook the fact that Irving Saypol, the Jewish prosecutor, did not permit a single Jew, of the three hundred jurors in the panel, to sit on the jury ... Irving Saypol as is now widely known, was admonished by the Court of Appeals in August 1951, for his appeals, to 'racial prejudice' against a Jewish witness in the Remington case."

In an article in the CANADIAN JEWISH WERKLY (February 28, 1952): "A study of the details of the case shows that it will go down in history as a parallel to the Dreyfus case -- and the Sacco-Vanzetti case."

For additional material and inquiries, write to NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE, 246 Fifth Avenue, New York, N.Y.

RECEIVED 4-11-52

ASK NEW ATTORNEY GENERAL TO FACILITATE ...
SECOND TRIAL FOR ROSENBERGS, HORTON SOBELL

For Immediate Release. The newly appointed Attorney
General was today (April 9th) asked to use his influence
to bring about a new trial for Ethel and Julius Resemberg
and Morton Sobell and thereby "restore the faith of
many thousands in our judicial processes."

In a letter to the Attorney General, Joseph Brainin,

Chairman of the Mational Committee to Secure Justice in

the Resemberg Case, informed him of the Committee delegetions interview on March 28th with Special Assistant polymens and secure Judgment of the Attorney General (then J. Howard McGrath), A. Folks Judgmen would need to the Attorney General (then J. Howard McGrath), A. Folks Judgment of Judgment of Judgment attack that the perfect that the perfect the control of Judgment 
The letter stated in part:

roops Herding Hor Triple Form and Lithel Rosenberg and Morton and Formal Research the facilities of Americans whom we represent the property of scripting the services of Americans whom we represent the property of scripting and the property of scripting and Morton and Lithel Rosenberg a

"Your influence can do much in the cause of justification and restore the faith of many thousands in our entropy and judicial processes."

Mr. Brainin announced that many telegroms, letters and telephones, and selections and telephones, and the country asked 
Room 441 New York 1, N. Y.

246 Fifth Avenue Room

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Rev. Spencer Kennard

Committee To Secure Justice In The Rosenberg Case

#### FOR JUSTICE

Juderfel WRITE to President Truman and Attorney General J. Howard McGrath. Tell them what you think. Ask that the government consent to a reversal of the Rosenberg conviction, thus permitting a new trial or discontinuance of their prosecution.

URGE your Senators and/Congressmen to make the foregoing request to the White House and the Department of Justice.

WRITE the National Committee to Secure Justice in the Rosenberg Case for more information. We will send you our new 32-page pamphlet "TO SECURE JUSTICE IN THE HOSENBERG CASE," by William A. Reuben, which tells the whole story. Ask for as many as you can possibly circulate. Send us a financial contribution-big or little. We need help. Use the form below.

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THE ROSENBERG **CASE** 

a fact sheet



Published by THE NATIONAL COMMITTEE TO SECURE JUSTICE IN THE ROSENBERG CASE 246 Fifth Ave., New York 1, N. Y.



















On April 5, 1951, Julius Rosenberg and his wife Ethel were sentenced to die in the electric chair, having been convicted on a charge of conspiracy to spy on behalf of the Soviet Union.

The Rosenbergs have unswervingly maintained their innocence from the day of their arrest. When Ethel Rosenberg was taken to the Sing Sing death house, she declared:

"We said and we say again that we are victims of the grossest type of political frame-up ever known in America."

On February 25, 1952, the U.S. Circuit Court of Appeals upheld the verdict and the sentences in a shocking decision that held, among other things, that persons could be considered disposed to commit espionage by virtue of their political or social views. The defendants' attorneys will appeal the case to the Supreme Court.

Thousands of people, among them many eminent public figures, do not believe the Rosenbergs guilty or that their trial was a fair one. Thousands more, who have grave doubts of their guilt, are horrified at the death sentence.

A number of these citizens have formed the National Committee to Secure Justice in the Rosenberg Case, and many times their number have contributed money and time to make new appeals possible and to bring the case, with its far-flung implications, to the public.

#### THE ROSENBERGS

Ethel and Julius Rosenberg, until their arrest, led the life of every-day people, struggling for a livelihood and education, and hoping that their two young sons, aged nine and four, would be spared the hardships familiar to the parents.

Julius Rosenberg, 34, was born and raised on the lower East Side of New York City. He attended public school and Seward Park High School as well as the Downtown Talmud Torah and Hebrew High School. He graduated from the City College of New York in 1939 with a Bachelor's Degree in Engineering.

Ethel Rosenberg, 36, graduated from Seward Park High School, and took courses in bookkeeping, stenography, typing, Hebrew, piano, guitar, and voice, and a course in child psychology at the New School for Social Research. They lived in an apartment on the lower East Side for which they paid approximately \$45 a month. Since their marriage they lived solely on Julius' \$70 a-week income as a government engineer, except for the past few years when they managed a meager living from the profits of a small machine shop business. Julius was an active member of his trade union. Ethel did volunteer work in community and civilian defense organizations.

#### THE INDICTMENT

The indictment charged the Rosenbergs with initiating a conspiracy during 1944, the last year of the war against nazism, to transmit information "relating to the national defense of the United States" to the Soviet Union.

The prosecutor however, went far beyond the indictment, charged that the Rosenbergs had given the Soviet Union the "secret" of the atom bomb, and attempted to create the impression that the Rosenbergs were "Communists," holding allegedly "subversive" views, and therefore disposed to commit espionage. He further attempted to impress the jury that a verdict of "innocent" would be tantamount to repudiation of our government's foreign policy.

#### THE PROSECUTION'S CASE

Before the trial the prosecutor announced that he would call 118 witnesses, among them top scientists Dr. J. Robert Oppenheimer, Dr. Harold C. Urey; Gen. Leslie R. Groves, head of the atom bomb project during the war; agents of the Federal Bureau of Investigation; alleged associates of the Rosenbergs in the "conspiracy"; and two "star" witnesses. All witnesses were supposed to give evidence of Rosenberg's alleged spy activities.

Of these 118, the prosecutor called only 20, among them none of the above named scientists or FBI agents. Of the 20, 8 merely gave details of a trip which Sobell took to Mexico, a trip which the prosecutor did not allege to be for espionage purposes; 2 testified that certain security measures were taken to conceal the nature of the atom bomb project; I was an engineer who interpreted a sketch manufactured for the court by David Greenglass, chief government witness; I was the Rosenberg family doctor who testified that Rosenberg had asked him questions pertaining to inoculations necessary for a trip to Mexico: I was a relative of Ruth Greenglass, who testified that David had given him \$4000 to hold for him: I was the sister of Ruth Greenglass who testified that she was once asked to leave the room by Julius Rosenberg on a visit to the Greenglass home: I was a witness who identified a photograph of Anatoli Yakovley, a former Soviet consular aide named a co-defendant in the trial, and who had returned to his country in December 1946: 1 was Elizabeth Bentley, who testified that all Communists were spies, but had never met any of the defendants: I was Harry Gold, who testified in the same vein as Bentley. and admitted that he did not know the Rosenbergs. Of the remaining 3 witnesses, I said that Rosenberg had twice asked him to become a spy, but had declined each time. This witness, Max Elitcher, admitted that he faced a five year prison sentence for perjury, and that he "hoped for the best" as a result of his uncorroborated testimony. He is free today, never having been tried. The remaining two witnesses, David and Ruth Greenglass, were both, according to the prosecutor, and their own statements, involved in the alleged conspiracy, but as a result of their testimony, of which more later. Ruth was never brought to trial, and her husband got off with a 15 year sentence.

Thus it is clear that the government's entire case is based on the Greenglasses uncorroborated testimony. The prosecutor produced 32 exhibits as "documentary evidence." Not one of these documents, by the prosecutor's own admission, connected the Rosenbergs with a conspiracy to commit espionage. In fact, only two of the documents were at all related to the Rosenbergs. One was a collection can issued by the Spanish Refugee Appeal, the other was a nominating petition, signed by Ethel, for Peter V. Cacchione, a successful Communist candidate for the City Council of New York.

The prosecutor filled the overwhelming bulk of his case with persistent insinuations that the Rosenbergs were Communists, that U.S. monopoly of the atom bomb was important to world peace, and that war with the Soviet Union was virtually inevitable.

#### THE STAR WITNESSES

David Greenglass, brother of Ethel Rosenberg, and his wife Ruth, were the star witnesses against the Rosenbergs. Both admitted that they had committed espionage for which they received money and for which both could be given the death penalty.

David Greenglass was arrested in June and indicted in July 1950. He was held in \$100,000 bail, placed in solitary confinement, and visited for hours at a time by the FBI.

He and Ruth hired O. John Rogge, who himself later became a star government witness against the eminent Negro scholar Dr. W. E. B. DuBois in a case charging Dr. DuBois with being a foreign agent (the judge threw the case out of court). After extended negotiations by the Greenglasses, Rogge, Prosecutor Irving Saypol and agents of the Department of Justice, The FBI arrested Julius Rosenberg and later his wife Ethel solely on the basis of "information" given by the Greenglasses.

The Greenglass' uncorroborated testimony was the only evidence presented that the Rosenbergs had conspired to steal the atom-bomb secret. Their teatimony in respect to the Rosenbergs was solely oral, and no documents or other proofs linking the Rosenbergs to espionage were introduced. No witnesses were called to substantiate any conversations on espionage that allegedly took place between the Greenglasses and the Rosenbergs. David Greenglass testified that relying solely on his memory of snatches of overheard conversation at the atom-bomb project at Los Alamos, and his remembrance of details of blueprints which had been shown to him as part of his work as a machinist, he had drawn up an elaborate sketch of the atom bomb, together with twelve pages of written material, which he allegedly conveyed as a description of the bomb to Rosenberg.

The following are Greenglass' actual qualifications for this impressive feat:

- 1) experience as an ordinary machinist in both army and civilian life;
- 2) a high school education, plus 8 technical courses at Brooklyn Polytechnic Institute, in all 8 of which he admitted he was graded "failure":
- 3) an admission that he was ignorant of various formulas governing component parts of the atom bomb, and that he had never taken courses or read books on such essential subjects as elementary, differential or advanced calculus, thermodynamics, quantum mechanics, nuclear or atomic physics. Not a single atomic scientist was called to support David Greenglass' testimony concerning the atom bomb or to confirm the authenticity of the "sketch" of the atom bomb he made for the trial. Instead, a then first lieutenant, John Derry, an aide to General Groves, whose job in the Army was mainly related to personnel, was called upon to testify that the manufactured sketch reflected to a "substantial degree" the principles of the atom bomb. Derry's sole "qualification" was a Bachelor of Engineering degree.

Had Dr. Harold C. Urey been called by the prosecutor, as the latter had announced he would do, Dr. Urey could have demolished Greenglass' testimony by repeating what he had said on March 3, 1946, during Congressional hearings on whether the atom bomb should be controlled by civilians or the Army. The N. Y. Times reports him as saying: "Detailed data on the atomic bomb, he declared, would require '80 to 90 volumes of close print' which only a scientist or engineer would be able to read . . . . Any spies capable of picking up this information.' Dr. Urey added, 'will get information more rapidly by staying at home and working in their own laboratories."

Responsible periodicals and science editors commented as follows on Greenglass' testimony:

TIME MAGAZINE: "Some of his testimony made little scientific sense." LIFE MAGAZINE'S Science Editor: "Greenglass' implosion bomb appears illogical, if not downright unworkable."

SCIENTIFIC AMERICAN: "History's most elaborately guarded secrethow to make an atomic bomb-was casually let out of the bag in a courtroom last month. Or was it?"

#### POLITICS INSTEAD OF EVIDENCE

The prosecutor set out to show that the defendants were Communists and that Communists are spies. This had nothing to do with either the indictment or proof that the Rosenbergs had conspired to commit espionage. The prosecutor said that the Rosenbergs had allegedly committed this crime because their loyalty was to "communism in this country and communism throughout the world." But he did not establish that the Rosenbergs were Communists. Instead, he showed:

- 1) the Rosenbergs had a Spanish Refugee appeal can in their home;
- 2) Ethel Rosenberg was one of 50,000 New York citizens who had signed a nominating petition in 1941 for Peter V. Cacchione, successful Communist Party candidate for New York City Councilman;
- 3) the Rosenbergs carried sick and death benefit insurance with the International Workers Order, a multi-national, inter-racial fraternal insurance society with 160,000 members in 18 states:
- 4) the Rosenbergs were both active members of their trade unions; Ethel in Local 65 of the Wholesale, Retail and Warehouse Workers Union: Julius in the Federation of Architects, Engineers and Technicians;
- 5) the Rosenbergs occasionally read the Daily Worker;
- 6) the Rosenbergs believed that the Soviet Union had borne the brunt of the war against Nazi Germany, and that it had done its share in wiping out the murderers of 6 million Jews:
- 7) the Rosenbergs had been pleased and lauded the United States and Great Britain for opening up a second front;
- 8) Julius Rosenberg had once been accused of being a Communist, for which he had been fired from the Signal Corps, although he had sworn that he was not a Communist.

#### AN: ARGUMENTATOR TORTIGN POLICYALISTEAD, OF THE IDENCE

The prosecutor argued that the atom bomb was "the one weapon that might well hold the key to the survival of this nation." He argued that the United States had made every effort to keep the principles of the atom bomb a secret, and insinuated that since the Soviet Union was by then known to have the bomb, the Rosenbergs must be guilty of having conspired to transmit its secret to that country.

Leaving aside the absurdity of this kind of "proof" against the Rosenbergs, all recognized authorities deny the possibility of atom-bomb monopoly and atom-bomb "secrets." This is what these authorities say:

ATOMICS, a monthly scientific magazine, September 1949: "Since the discovery of uranium fission in 1938 there has been no basic secret regarding an atomic bomb."

SMYTH REPORT, official report of the U. S. government on atomic energy development, published in 1945: ". . . the principles that have been used were well known to the international scientific world in 1940."

INTERNATIONAL NEWS SERVICE, December, 1950, in a story datelined Washington, D. C.; "The Atomic Energy Commission Friday bared secret documentary proof that Russia has known the scientific accrets of atom bomb manufacture since 1940, the year the United States began attempts to develop the missile."

DR. J. ROBERT OPPENHEIMER, in a speech in January, 1951, said, according to the N. Y. Times: "... that there were no 'unpublished' secrets concerning atomic weapons, and no 'secret laws of nature' available only to a few."

NEW YORK TIMES, Feb. 24, 1952: "The British development of an atom bomb confirmed what had been apparent when the Russians exploded their bomb in 1949—that the secret of the atom bomb was not a secret, that any nation with the resources could construct one, but only big and wealthy nations could afford this kind of armament."

#### THE OF ATHERENTENCES

In imposing the death sentence against Ethel and Julius Rosenberg, Judge Irving Kaufman said that they had "altered the course of history to the disadvantage of our country... we have evidence of your treachery around us every day... I believe your conduct has already caused, in my opinion, the Communist aggression in Korea, with resultant casualties exceeding 50,000 and who knows but that millions more of innocent people may pay the price of your treason."

From the Judge's comments, it appears that he sentenced the Rosenbergs to death for crimes with which they were not at all charged. They were neither accused of treason nor was any evidence brought in linking them in any way to the instigation of any wars, past, present, or future. But the Judge's comments, and the death sentence, like the jury's verdict, is in line with the

prosecution's inability to bring in convincing proof that the Rosenbergs conspired to commit espionage, substituting, instead, inflammatory and reckless charges that had nothing to do with the case.

It is unthinkable that the same verdict and the same sentence would have been given had these wild accusations formed the basis of a "case" during the war years (when the USSR was our ally), when the alleged conspiracy was supposed to have taken place, or even in the first years following the end of the war.

Further, we can compare the sentences given to confessed or convicted traitors and substeurs such as Axis Sally and Tokyo Rose, who got ten years each, and the famous Molzahn case in which four men who gave vital secrets to Germany in the Fall of 1941 were let off with 5 to 15 year sentences.

Finally, this is the first time in the history of our country that a civil court has imposed the death sentence for a charge of espionage. No person committing treason, the gravest of all crimes, has ever been executed.

#### THE TAINT OF ANTI-SEMITISM

Shortly after the trial was over the prosecutor, although Jewish, was severely reprimanded by a United States Court of Appeals for practicing anti-Semitism in another case. This grave charge is bolstered by the fact that the Rosenberg trial, in a city whose population is une-third lewish, proceeded without a single Jewish juror due to challenges by the prosecution. Here are comments from the Jewish press:

THE DAY: "The death sentence imposed by Judge Kaufman left the feeling that precisely because he is a Jew did he go to an extreme and deal judgment with a heavy band... that Judge Kaufman is a Jew has perhaps unconsciously motivated him to issue a sentence which, in the opinion of many, is considered to be unjust and brutal."

DAILY FORWARD: "Too harrible . . . every Jow feels the same way."

CHICAGO SENTINEL, an' Anglo-Jewish paper, in a column on Feb. 7, 1952 by Rabbi G. George Fox, one of the most widely known Rabbis in the mid-west, an entinent scholar and author: "I am certain that Judge Kaufman's decision will be found unjust, if not illegal."

#### CONCLUSIONS.

- 1) The Rosenbergs were convicted on unsubstantial and incredible evidence.
- 2) The prosecution prejudiced and inflamed the jury by bringing in extraneous issues in every phase of the trial.
- 3) The suspicion of anti-Semitism taints the entire trial.

When it is borne in mind that Ethel and Julius Rosenberg were ordinary folk like the vast majority of us, that they were not leaders of any political or social or economic movements, it becomes clear that a new danger faces this vast majority, the danger that past or present or future views on social issues may become the basis for wild accusations, imprisonment, and even death. That is why it is in the interest of all Americans, regardless of their beliefs and creeds, to make certain that justice is done in the Rosenberg Case.

## AA MOTHER WRITES FROM THE DEATH HOUSE:

## "We Are Innocent"

Ethel Rosenberg

## THE TRUTH LABOUT THE TROSENBERG CASE

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#### THE FACTS

On April 5, 1951, Julius and Ethel Rosenberg, parents of two small children, were sentenced to die in the electric chair for a crime they deny committing—conspiring to commit espionage.

#### AMERICA ASKS

Why did the Circuit Court uphold the verdict and sentence after admitting that hysteria helped convict them?

Does the court's opinion that certain social views are grounds for accusations of espionage and death sentences menace the liberties and lives of millions of Americans?

Did Ethel Rosenberg's brother, David Greenglass, negotiate with the Government to save his neck by sending his sister and brother-in-law to the death house?

Why didn't the Government permit a single Jewish juror to sit on the case?

THESE QUESTIONS AND OTHERS WILL BE ANSWERED ON

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For tickets and further information write to:
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IN THE ROSENBERG CASE

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WRITE TO PRESIDENT TRUMAN -- ASK THAT HE TAKE STEPS TO REVERSE THE BIASED VERDICT AND BRUTAL DEATH SENTENCE!

Game Bulle H IN Face sice DU D 1. T IC FREEDOM שַהַּשַנַפַיַנַיָּט אִיםַ בְּיִיטְאַ דְּיַ ACT FOR MORTON SOBELL April 15th isser of ChhiSTIAN CENTURY (leading Protestant weekly) urges commutation for Schell. April 5th Sunday CREGONIAN (Portland's Independent Republican daily) calls for justice for Sobell. February 25th, Ir. Reinhold Niebuhn, Professor Edmond Cahn and a group of lead to theologians and law professors appeal for commutation for Soboli. April issue, INTERGOLLEGIAN, Student YM-YWOA publication, calls Screll case "Issue of the Month", urging study and action. \* \* \* \* \* \* Throughout America -- Clergymen, important newspapers and magazines, Senators, Congressmen, Statesmen, are looking anew at the Rosen-berg-Sobell case, so central in the fight for justice. Everywhere doors are opening. YOUR ACTIONS will help open that final door-to truth and freedom. CONSIDER THESE FACTS:

Morton Sobell was tried together with Ethel and Julius Rosenberg on espionage conspiracy charges, at the height of the McCarthy period and anti-Communist hysteria, during the war in Korea. He was convicted on the word of one witness, a self-confessed perjurer, testifying in hopes that he wouldn't be punished for his perjury (He never was).

Sobell received a 30 year sentence and is now serving his 9th year in prison... The Supreme Court never reviewed the record to see if the defendants had received a fair trial... No court ever reviewed the credibility of the prosecution witnesses, several of whom have since been discredited in other proceedings... The inordinate sentences have never been reviewed by any court... Law Journals which have studied the case conclude that Morton Sobell did not receive justice.

#### WRITE LETTERS LIKE THESE, NOW: ..

1. President Dwight D. Eisenhower 2. Senator Jacob K. Javits The White House, Washington, DC. U.S. Senate, Washington, DC.

Dear Mr. President:

Please include me among the many Americans who wish you to commute the sentence of Morton help obtain a new trial or a served or recommend a new trial. Sobell to the time already commutation of served, or recommend a new trial. Respectfully yours.

Respectfully yours

Won't you please look into

3. Please also write to Senator Kenneth Keating, U.S. Senate and to your Congressman, The House of Representatives. in Washington, D.C. 💢 🐪 📜

DON'T FORGET YOUR FINANCIAL CONTRIBUTION:

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Contact THE NEW YORK COMMITTEE TO SECURE JUSTICE FOR MORTON SOBELL 940 Broadway, New York 10, N.Y. AL 4-9983

### Committee To Secure Justice In The Rosenberg Case

Joseph Brainin, Chairman

David Alman, Executive Secretary 246 Fifth Avenue Room 441 New York 1, N. Y. MUrray Hill 5-2144

Feb. 29, 1952

Dear Friend;

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The Appeals Court affirmation of the verdict and sentences in the Rosenberg Case is one of the most shocking judicial acts in our country's history.

The Court's opinion that certain social beliefs may form the basis for accusations of espionage and death sentences confronts millions of Americans with grave danger to their liberties and lives.

Only immediate, nation-wide steps to rouse our fellow citizens to the danger to the Rosenbergs and to themselves can prevent a terrible tragedy.

Your pest generosity and help has made it possible to bring our campaign for justice to millions of people. We have taken advertisements in the St. Louis Post Dispatch, Chicago Deily News, Kation magazine, NY Compass, National Guardian, Jewish Day, Horning Freiheit, Jewish Life, Jewish Horning Journal, and other publications. We have printed 60,000 and distributed 45,000 copies of Mr. Meuben's fine pamphlet. We have initiated or helped organize public meetings in Chicago, Cleveland, New York, and other cities. (We have a large public meeting in New York on March 12). We have printed thousands of leaflets, and we now have a fact sheet on the press. When you add the cost of these to legal expenses, office rent, technical help, mailings, etc. you will realize how strained our financial resources are.

Now we begin a new round of public appeals and legal expenses, for which we need immediate funds.

To must ask you to be generous again. Please give as much as you can, as soon as you can.

F.S.

Send a letter today to President Trumen and U.S. Attorney General J. Howard McGrath, asking that they take steps leading to a reversal of the verdicts and death sentences in the Rosenberg Case.

Hold public meetings, organize local . Rosenberg Committees - time is short.

Joseph Brainin
David Almen



## AMICUS BRIEF' in the ROSENBERG CASE

E BELIEVE that the trial of Julius and Ethel Rosenberg and Morton Sobell on a charge of conspiring to commit espionage, which resulted in death sentences for the Rosenbergs and a 30 year sentence for their co-defendant, lacked gurantees of fairness which all Americans have a right to expect under the Constitution.

WE BELEIVE that the Prosecutor and Trial Judge permitted fear and prejudice to dominate the trial by 1) attributing to the defendants social beliefs which are today the target of virtually every public tribunal, and 2) attributing to them reversals and casualties suffered in Korea.

WE BELIEVE that transient political and social passions have no place in our courts, that to deprive even one American of the right to a fair trial is to injure the rights of all Americans.

WE THEREFORE authorize the inclusion of our names in an Amicus Brief to the Supreme Court of the United States, petitioning that the verdicts and sentences be set aside, and that a new trial be ordered, based on Constitutional guarantees of impartiality and fairness in accordance with the best traditions of American justice.

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Med 25, 1802.

Martfard, Comm.

Dear Sir;

Letter is printed, & shall

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Contract. With transpo
Jos part consideration.

Sincerely

Desport Shipman

288 8# St. K.E.

Malington, D.C.

Home address.

Yee, James.

Editor of the Courant:

AND I call attention to the Rosenberg Case which is not receiving the publicity it merits. It is important not only because two persons, believed by many to be innocent, are conderned to die, but also tecause, if the reasoning by which the verdict is justified, is plicated at any precedent, anyone expressing certain unpopular opinions is in danger of sharing the fate of the Rosenbergs.

Thel, were convicted about a year ago of complicity in transmitting About information to the USSR in 1985, when that country was an ally of our in the way against Ritler, and were given the death sentence, unprecedented in

Ithel, were convicted about a year age of complicity in transmitting About information to the USSR in 1945, when that country was an ally of our in the war against hitler, and were given the death sentence, unprecedented in this country for persons convicted of applicance by a civil out. Since the conviction, they have been in the Sing Jing death house awaiting court and continuous appealance since their arrest, they have consistly declared their innocence of complicity in or cognosance of the grive of which they are convicted.

krs. Rosenberg's brother, David Gr. englass, and his wife gave the only testimony (including vary details, about the Rosenberg scrivities connected with espionage) and the section of the his conferred act, will serviced at the alternation of the serviced at the received \$500 from Harry Gold, later convicted of espionage to other witness, document or exibit correlated this testimony against armines the Rosenbergs. In consequence of it, Greenglass received a comparatively light prison sentence and his wife was not indicated.

The only other witness.

nesses throwing any light upon the case were Max. Mitcher, an acquair targe of Rosenberg, Mis. Bentley, notorious informer, and Harry Gold. Mitcher, who for some time had been liable to indictment for perjury, after long interviews with the PBI, signed statements that Rosenberg had asked him apy for the USSR and had said that Morton Sobell was maleo in on this apy for the USSR and had said that Morton Sobell was maleo in on this on this testimony slone, Sobell, who was tried with the Rosenbergs, was given a 30-year prison sentence. After signing these statements . Mitcher insediately tained 0. John Rogge, Greenglass's attorney, to when Greenglass had turned over \$4000 which he had held in hiding.

Bentley and Gold.

former communist party members, testified as to spying artivities of the party, though meither of them claimed to have known anything about the Boserbergs. They also apoke of a person, unknown to them, called "Julius", of whom they had heard in connection with espionage. Judge Kaufman stressed their testimony as a sort of connecting link in the case against the ed their testimony as a sort of connecting link in the case against the Roserbergs. The fact was not brought out that Dr. Klaus Fuchs, later configurations as sold with whos Gold cooperated, was known fessed leader in the against the season with whos Gold cooperated, was known to him collaborators as soldies.

desirate the defendants and their attorney. He assumed in his remarks that against the defendants and their attorney. He assumed in his remarks that hoverberg had been a communist party member, which had been denied by Rosyrberg, though he admitted having expressed sympathy for Russia in Admitted berg, though he admitted having expressed sympathy for Russia in Admitted when she was fighting the German invaders. The absurdity of the Judge's when she was fighting the German invaders. The absurdity of appeals, rade were assounding. Likewise was the decision of the Court of appeals, rade public Feb. 25, which upheld the conduct of the trial Judge, and confirmed the verdict and death acutenes. It minimised the importance of proof and the verdict and death acutenes. It minimised the importance of proof and the verdict and death acutenes. It minimised the importance of proof and the verdict and death acutenes. The case is being appealed to the Supreme Court. to commit certain crimes. The case is being appealed to the Supreme Court. In justice to the Resembergs and Morton Sobell and for the protection of our constitutional rights, it behooves all of us to do what we can tion of our constitutional rights, it behooves all of us to do what we can to acquaint the public with the facts of this case. Information thereon and or steps being taken by the defense can be obtained from the Rational and or steps being taken by the defense can be obtained from the Fifth Ave.,

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