

bd 11

Ruth Greenglass

Q Well, now, you returned to New York in the early part of December, 1944; is that correct? A Yes, + did.

Q And when you returned did Julius Rosenberg come over to see you at your home at 266 Stanton Street, New York City?

A A few days later he came.

Q Did he come alone? A Yes.

Q And he had a conversation with you? A Yes.

Q Now, was there anyone present besides you and Julius Rosenberg when you had this conversation? A No.

Q Now, can you relate as best you can, to the best of your recollection, the conversation that took place between you and Julius Rosenberg on this occasion? A Well, Julius asked me if I had related the information to my husband, and I told him I had, and that he had consented to do this. And then I told him as best as I could remember what David told me about the physical setup and the names of the scientists I have already given.

Q And what did Rosenberg say? A Well, he was pleased at receiving the information.

Q Didn't you write that down on a piece of paper?

A Yes, I wrote that down on a piece of paper and he took it with him.

Q In longhand? A Yes.

Q And did you write it down in his presence?

A I believe so.

Q And did you say he said he was pleased? A Yes.

bring back to Julius.

Gold came back in the afternoon, and we gave him this written information on eight by ten ruled paper -- it was loose-leaf.

Then the three of us went for a walk. He gave us an envelope, a white sealed envelope, which we did not open at that time.

We went for a walk to just past the U. S. O. in Albuquerque, which was about three or four blocks from our home. There Gold said "Goodbye" and he went away, and we went back home to our apartment.

When we got there, we opened the envelope, and there was five hundred dollars in it. Well, when we saw the money we realized it was no longer on a scientific plane, and we were being paid to do a job; and my husband and I felt degraded. But there was nothing to do - we couldn't chase Gold, because we didn't know where he was going; and we kept the money.

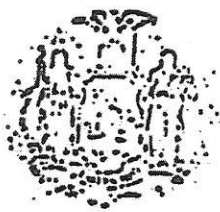
Q Now, did David subsequently send any other information to Gold or to Rosenberg? A No, he did not.

Q How much time did these meetings consume?

A Well, when he came to our home in the morning, he was there about fifteen to twenty minutes, and then he left, so that David could write down the information for him.

When he returned that afternoon, he was in our apartment only five or ten minutes, and then we went for

Supreme Court
of the
State of New York



IRVING H. SAYPOL
JUSTICE

0-478-1
JUSTICES OF
NEW YORK COUNTY
NEW YORK, N. Y.

March 13, 1975

Hon. Clarence M. Kelley
Director
Federal Bureau of Investigation
Washington, D. C. 20535

Dear Mr. Kelley:

My daughter Barbara, now of Beverly Hills, California, an alumna of Smith College, ~~has~~ has sent me the enclosed photocopy of an article in the "Smith Alumnae Quarterly", February 1975 by Professor Alan Weinstein, entitled "Opening the FBI Files: An Interim Report". I direct your attention to the last page which she encircled with her comment "I thought you didn't ask for the death penalty. Is this error?"

I've enlightened her. Her question, as you can see, arises from Professor Weinstein's statement that FBI and Justice Department files have provided new insights * * *; "that prosecutors in the Rosenberg case originally opposed asking for the death penalty but were overruled by Truman Administration officials in Washington." I don't know the basis for this statement nor do I know what records he speaks about. I do know the facts. The Professor is all wrong and he fabricates.

~~My daughter Barbara, now of Beverly Hills, California, an alumna of Smith College, has sent me the enclosed photocopy of an article in the "Smith Alumnae Quarterly", February 1975 by Professor Alan Weinstein, entitled "Opening the FBI Files: An Interim Report". I direct your attention to the last page which she encircled with her comment "I thought you didn't ask for the death penalty. Is this error?"~~
Preliminarily, when I had the honor ~~of~~ of Truman's appointment as United States Attorney, the prevailing sentencing practice in criminal cases in the ~~United States~~ District Court for the Southern District of New York began with the prosecutor's recommendation for punishment. ~~This~~ was contrary to the practice in the State Courts where the judge took no recommendations. As Chief Justice ~~of~~ by predecessor, the late John F. X. McClellan, one of my assigned responsibilities was sentence recommendation. Upon succeeding him in 1949, I raised the subject with the late Chief Justice John C. Knox. He requested that I continue the practice of

March 13, 1975

recommending sentence. In my six years in the office I recommended many such, hundreds, and I can count on my fingers the cases where judges modified my recommendation.

Now, to the point of the Professor's claim. I was never overruled by anybody. No one in Justice or out ever directed me, let alone overruled me on the matter of recommendation of sentence.

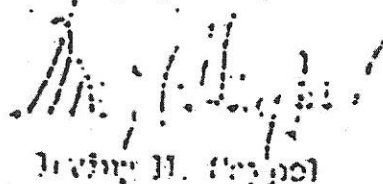
I was the only prosecutor in the Rosenberg case. While some of my assistants assisted in preparation for trial and I let four of them examine some of the witnesses, I took the lead. All policy decisions were mine and mine alone. Advice I sought and took, but I repeat, final decision was always mine.

On the matter of the Rosenberg sentences, I had decided to make the recommendations which later were imposed. I made no recommendation at sentence at the direction of the sentencing judge, in these circumstances. The day before sentence he asked for my views. I gave them and he inquired regarding the views of the Department of Justice. I had not solicited any. He asked me to seek these. I flew to Washington, met with the late Deputy Attorney General Peyton Ford and the late Assistant Attorney General in charge of the Criminal Division, James McInerney. They conveyed the views of your predecessor J. Edgar Hoover. There were differences all around among them, but capital punishment for one or both was in not out. I left to return to New York, asked to telephone to Peyton Ford that night for final word on possible reconciliation of their views. I did so but the Washington situation remained at variance. It was at a public function that night that I phoned Mr. Ford in the presence of the judge who was attending the same event. Upon narrating to him the Washington division I was then asked by the judge to refrain from making any recommendation for punishment the next day in the course of my closing statement at sentence.

There you have direct evidence of the facts in contradiction to Professor Weinstein's story.

You may use this in any way to keep the record straight.

Truly yours,



Irving H. Saypol

1823

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. LADD

DATE: June 17, 1953

FROM : MR. BELMONT

SUBJECT: JULIUS ROSENBERG, ET AL
ESPIONAGE - R

We checked with the Washington Field Office at 10:45 A.M. this morning on the status of the motion before Justice Douglas of the Supreme Court by attorney Fyke Farmer. The Agent who was in the Court building advised that Justice Douglas and Justice Jackson went to their respective offices at 9:40 A.M. today and have not come out. The attorneys are standing by.

At 10:50 A.M. Supervisor Tom McAndrews of New York called to advise that Judge Kaufman had called the New York Office. Judge Kaufman said he learned from AUSA Kilsheimer that last night, on the recommendation of Justice Jackson, the Attorney General and Chief Justice Vinson met at 11:00 P.M. to determine whether to call the complete Court into session to dispose of Fyke Farmer's motion. Judge Kaufman advised that as of 7:30 P.M., Douglas was disposed to grant the writ. However, after he came back from dinner, he was wavering and undecided. Judge Kaufman said that even if Douglas does throw out the motion, Justice Frankfurter will hear it. Judge Kaufman said that Justice Jackson was very upset about the indecision of Douglas. Jackson felt that the whole theory of listening to Farmer's motion was ridiculous and Douglas should have turned it down yesterday.

ACTION:

For your information.



ADDENDUM: AHB:ncr 6-17-53

At 11:15 A.M. Supervisor McAndrews called back to advise that Judge Kaufman had very confidentially advised that at the meeting between the Attorney General and Chief Justice Vinson last night, Justice Vinson said that if a stay is granted he will call the full Court into session Thursday morning to vacate it.

VENONA

~~TOP SECRET~~

Reissue (T9.2)

From: NEW YORK
To: MOSCOW
No: 1657

27 November 1944

To VIKTOR[i].

Your no. 5356[a]. Information on LIBERAL's[ii] wife[iii]. Surname that of her husband, first name ETHEL, 29 years old. Married five years. Finished secondary school. A FELLOWCOUNTRYMAN [ZEMLYaK][iv] since 1938. Sufficiently well developed politically. Knows about her husband's work and the role of METR[v] and NIL[vi]. In view of delicate health does not work. Is characterized positively and as a devoted person.

No. 922

Advise on the possibility of using in our work the engineer MAZURIN Vladimir N. [viii]. He worked as deputy to the constructor of Plant 155. He graduated from MAI[viii] in 1936. Is now working at ARSENIJ's[ix] plant [x]. [2 groups unrecovered] [D& I request your decision on the question].

No. 923

ANTON[xi]

Notes: [a] Not available.

Comments:

- [i] VIKTOR: Lt. Gen. P. M. FITIN.
- [ii] LIBERAL: Julius ROSENBERG.
- [iii] Ethel ROSENBERG, nee GREENGLASS.
- [iv] ZEMLYaK: Member of the Communist Party.
- [v] METR: Probably Joel BARR or Alfred SARANT.
- [vi] NIL: Unidentified.
- [vii] Vladimir Nikolaevich MAZURIN.
- [viii] MAI: i.e. MOSKOVSKIJ AVIATIONNIY INSTITUT, Moscow Aviation Institute.
- [ix] ARSENIJ: Andrej Ivanovich SheVChENKO.
- [x] Bell Aircraft Plant, NIAGARA FALLS, N.Y.
- [xi] ANTON: Leonid Romanovich KVASNIKOV.

1 May 1975

~~TOP SECRET~~

VENONA

ITEM 10

2

^d Presumably MOSKOVSKOY AVIATSIONNOY INSTITUT (Moscow Aviation Institute).

3. Comment. It will be observed that the internal message numbers are now two, 922 and 923. Of course, MAI, ARSENIUS, and the rest will now be seen to have no necessary connection with LIBERAL's wife.

It should be noticed that the noun "work" (RABOTA) has a special meaning in message 922, and probably the verb (RABOTAT') sometimes has a corresponding implication, that is, '(conspiratorial) work in the interests of the U.S.S.R.' If "work" is so interpreted in message 923, further light may be thrown on the meaning of ZAVOD (plant, works). ARSENIUS's plant might be ARSENIUS's net. (However, KIZRIN is an engineer and might work at a real plant. Then, if ARSENIUS is an agent, this might be "the plant that ARSENIUS spies on".)

In the same way, the work that EMIL cannot do in view of her delicate health may not be the earning of her bread and butter, but conspiratorial work.