Excerpts from the Rosenberg Trial Transcripts

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***Part One: Prosecution Witnesses***

1. **Testimony of David Greenglass**

**Direct Examination**

COHN: Now, Mr. Greenglass, have you at our request prepared a copy of the sketch of the lens mold which you furnished to Rosenberg on that day?

GREENGLASS: Yes.

COHN: Is this it?

GREENGLASS: Yes.

COHN: We offer it in evidence.

E. H. BLOCH: Before I make any objection, may I ask the witness several questions?

COURT: Yes, you may have a voir dire. Go ahead.

E. H. BLOCH: When did you prepare this?

GREENGLASS: During the trial yesterday.

E. H. BLOCH: Are you saying that that paper represents a true copy of the sketch you turned over to Rosenberg?

GREENGLASS: To the best of my recollection at this time, yes.

The sketch was admitted into evidence.

[NOTE: Greenglass testified that Rosenberg asked David and Ruth Greenglass to visit him in Knickerbocker Village. When they arrived, a woman by the name of Ann Sidorovich was also there. Greenglass said that Rosenberg told him that Sidrovich would probably meet Greenglass in a movie theater in Denver to pick up information that he is able to get in Los Alamos. Because his contact might turn out to be someone else, Rosenberg cut a Jell-O box with a scissors and gave one half to Ruth Greenglass while keeping the other half. He told Greenglass that whatever person he sent to meet with him would carry the matching half of the Jell-O box as a recognition signal. The meeting point was changed from Denver to Albuquerque. Greenglass then testified as to a meeting (also in New York) arranged by Julius, with a Russian in a car. Greenglass described the lenses to the unknown Russian and answered his questions about activities in Los Alamos. Cohn provided Greenglass with a Jell-O box and asked him to cut it in the way that he said Julius had during their meeting at his apartment. Cohn asked Greenglass about his meeting in Albuquerque with Harry Gold, who turned out to be his contact. ]

COHN: Would you tell us exactly what happened from the first minute you saw Gold?

GREENGLASS: There was a knock on the door and I opened it. We had just completed eating breakfast, and there was a man standing in the hallway who asked if I was Mr. Greenglass and I said, yes. He stepped through the door and said, "Julius sent me," and I said, "Oh" and walked to my wife's purse, took out the wallet and took out the matched part of the Jell-O box. He produced his piece and we checked them and they fitted, and the identification was made….He just wanted to know if I had any information, and I said, "I have some but I will have to write it up. If you come back in the afternoon, I will give it to you."  I started to tell him about one of the people who would be good material for recruiting into espionage work-- He cut me short and he left and I got to work on the report.

COHN: Where did you work on the report?

GREENGLASS: In my combination living room and bedroom.

COHN: Tell us exactly what you did.

GREENGLASS: I got out some 8 by 10 ruled white paper, and I drew some sketches of a lens mold and how they are set up in the experiment, and I gave a description of the experiment.

COHN: Was this another step in the same experiment on atomic energy concerning which you had given a sketch to Rosenberg?

GREENGLASS: That is right, and I also gave him a list of possible recruits for espionage.

COHN: Did Harry Gold come back in the afternoon?

GREENGLASS: Yes at 2:30-- I gave him my report in an envelope and he gave me an envelope, which I felt and realized there was money in it and I put it in my pocket.

COHN: Did you examine the money at that point?

GREENGLASS: No, I didn't. Gold said, "Will it be enough?" and I said, "Well, it will be plenty for the present." And he said "You need it" and we went into a side discussion about the fact that my wife had a miscarriage earlier in the spring, and he said, "Well, I will see what I can do about getting some more money for you."

COHN: How much was in the envelope?

GREENGLASS: My wife and I counted it later. There was $500-- I gave it to her.

COHN: Have you prepared a sketch of the drawing which you gave Gold in June I943?

GREENGLASS: Yes.

COHN: I offer it in evidence as Exhibit 6.

E. H. BLOCH: May I ask one question on the voir dire, before your Honor rules?

COURT: Go ahead.

E. H. BLOCH: When you made this sketch in 1950, did you rely solely on your memory as to what you had given Gold five years earlier?

GREENGLASS: I did.

E. H. BLOCH: I object to its admission.

COURT: I am admitting it. The weight to be given it will be . . . entirely up to the jury. It is being done for the purpose of permitting the jury to visualize what was turned over, and only insofar as that. It is not being introduced as the document which was given to Gold, because for apparent reasons the Government couldn't introduce that at this time....

Cohn asked Greenglass about a visit he had with Julius Rosenberg while on forlough in September, 1943.

GREENGLASS: He came up to the apartment and he got me out of bed and we went into another room so my wife could dress.

COHN: What did he say to you?

GREENGLASS: He said to me that he wanted to know what I had for him. I told him "I think I have a pretty good description of the atom bomb."

COHN: The atom bomb itself?

GREENGLASS: That's right.

Greenglass testified that Rosenberg asked him for a written description of experiments underway at Los Alamos. Greenglass said that he would prepare the descriptions. Rosenberg gave him $200.

COHN: Did you draw up a sketch of the atom bomb itself?

GREENGLASS: I did.

COHN: Did you prepare descriptive material to explain the sketch of the atom bomb?

GREENGLASS: I did.

COHN: Was there any other material that you wrote up on that occasion?

GREENGLASS: I gave some scientists' names, and I also gave some possible recruits for espionage.

COHN: Now, about how many pages would you say it took to write down all these matters?

GREENGLASS: I would say about twelve pages or so.

[NOTE: Greenglass testified that he and Ruth drove to the home of the Rosenbergs and gave him the written material, and that Ethel was also present. When the prosecution attempted to introduce a recent copy of the information Greenglass says was given to Julius, the defense objected on the grounds of national security and requested the exhibit be sealed.]

SAYPOL: That [request to seal the evidence] is a rather strange request coming from the defendants.

E. H. BLOCH: Not a strange request coming from me at the present.

SAYPOL: And I am happy to say that we join him.

COURT: It will be sealed after it is shown to the jury.

Bloch asked for a bench conference on the matter of how the potentially testimony should be handled.

BLOCH: Even at this late day this information may be of advantage to a foreign power. So I am satisfied that this be kept secret.

SAYPOL: The Department of Justice took up the matter of revelation with the Atomic Energy Commission and with the joint Congressional Committee on Atomic Energy, and it was left to my discretion how much of this material should be disclosed, on the premise that the primary obligation in the administration of justice was that the defendants were entitled to be apprised of the nature of the case against them.

COURT: Perhaps we can avoid this matter of clearing the courtroom if counsel can stipulate right now that the matters he is about to describe were of secret and confidential nature to national defense.

SAYPOL: Mr. William Denson, chief of the litigation section of the Atomic Energy Commission is here, and I will obtain his consent to such procedure.

COURT: How do counsel for the defense feel about this?

E. H. BLOCH: May I consult with co-counsel?

E. H. BLOCH: Your Honor, we cannot agree. I would like to stipulate it as an American citizen and as a person who owes his allegiance to this country.

COURT: May I ask counsel for Sobell why aren't you stipulating [to] this?

PHILLIPS: I do not feel that an attorney for a defendant in a criminal case should make concessions which will save the prosecution from the necessity of proving things which we may be able to refute.

SAYPOL: If counsel are not unanimous, I am inclined to go forward with my proof.

COURT: (Addressing jury) Ladies and gentlemen, when a defendant is put on trial, under our form of government, I am happy to say, he is entitled to confrontation of all the evidence which the Government contends proves his guilt. That is his constitutional right. In view of the nature of the testimony we are about to hear, I am going to ask all spectators to leave the courtroom on the balance of this particular testimony. I am going to permit the press to be present, but we are going to trust to your good taste and good judgment on the matters of publishing portions of this testimony.

SAYPOL: There is also present in the court a representative of the Department of Justice, and a representative of the joint Congressional Committee on Atomic Energy. I take it that is agreeable?

COURT: That is agreeable.

[NOTE: Greenglass testified that Ethel Rosenberg, in his presence, typed the secret information on a portable typewriter while he and Julius clarified ambiguous and ungrammatical language in Greenglass's draft. Greenglass then testified that Julius bragged as the typing was in progress that he had stolen a proximity fuse when working at Emerson Radio.]

COURT: Did he tell you what he did with that proximity fuse?

GREENGLASS: He told me he took it out in his briefcase. That is the same briefcase he brought his lunch in with and gave it to Russia....

Greenglass was asked if Rosenberg told him how he passed information to Russian agents.

GREENGLASS: He told me that if he wanted to get in touch with the Russians, he had a means of communicating with them in a motion picture theater, an alcove where he would put microfilm or messages and the Russians would pick it up. If he wanted to see them in person, he would put a message in there and by prearrangement they would meet in some lonely spot in Long Island.

COHN: Did you in the report you wrote for Rosenberg tell him about atomic explosion which would take place at Alamogordo, New Mexico?

GREENGLASS: Yes, in June 1943--

COURT: How long before the explosion did you tell him?

GREENGLASS: About a month before.

**Cross-examination**

E. H. BLOCH You knew at that time, did you not, that you were engaging in the commission of a very serious crime?

GREENGLASS: I did. . . .

E. H. BLOCH: Did it occur to you at the time that you finally said to your wife, "I will do this" and then transmitted to her certain information that there was a possible penalty of death for espionage?

GREENGLASS: Yes.

E. H. BLOCH: Are you aware that you are smiling?

GREENGLASS: Not very. . . .

E. H. BLOCH: And from the time in the latter part of November 1944, during your entire career in the Army, you continued to spy, did you not?

GREENGLASS: I did.

E. H. BLOCH: And you received money for that, did you not?

GREENGLASS: I did.

E. H. BLOCH: You received $500 from Harry Gold in Albuquerque, New Mexico for that, did you not?

GREENGLASS: I did.

E. H. BLOCH: Did you ever offer to return that money?

GREENGLASS: I did not.

[NOTE: Block asked Greenglass about his testimony that he first refused Rosenberg’s request to obtain classified secrets, and why he changed his mind.]

GREENGLASS: I consulted with memories and voices in my mind.

BLOCH: Physically, did you consult with anybody?

GREENGLASS: No....

E H. BLOCH: You have known your wife Ruth since childhood days?

GREENGLASS: Yes.

E. H. BLOCH: Did you love her when you married her?

GREENGLASS: I did.

E. H. BLOCH: Do you love her today?

GREENGLASS: I do.

E. H. BLOCH: Do you love her more than you love yourself?

GREENGLASS: I do.

E. H. BLOCH: Do you love your children?

GREENGLASS: I do. . . .

E. H BLOCH: Did you at any time think of your wife while you were down here telling your story to the FBI?

GREENGLASS: Of course, I thought of her.

E. H. BLOCH: Did you think of your wife with respect to the fact that she may be a defendant in a criminal proceeding?

GREENGLASS: I did. . . .

E. H. BLOCH: Now, Mr. Greenglass, your wife has never been arrested, has she?

GREENGLASS: She has not.

E. H. BLOCH: And she has never been indicted, has she?

GREENGLASS: She has not. . . .

E. H. BLOCH: And your wife is at the present time home, taking care of your children, isn't that right?

GREENGLASS: That's right....

E. H. BLOCH: After you were arraigned, were you taken to jail and put in solitary confinement?

GREENGLASS: Yes, for three days. The reason I was confined, was because there was an erroneous story in the newspapers that I was going to commit suicide; so the keeper felt, well, he wasn't going to take it on himself, so he had me put in solitary and had my laces taken off my shoes and my belt taken away from me so I wouldn't commit suicide. That was the whole story. There was no other reason.

E. H. BLOCH: Now when for the first time did you have a visitor?

COURT: May I ask what the relevance of this is?

E. H. BLOCH: The relevancy of this entire line of testimony is to show that this witness is lying, in order to save his wife....

E. H. BLOCH: After three days in solitary you were treated just the way all other prisoners were treated?

GREENGLASS: That's right.

E. H. BLOCH: Did you tell the FBI about your wife's participation in the Jell-O box incident?

GREENGLASS: I did, but let me point out, I wasn't a lawyer. I didn't know it was an overt act or anything else. How was I to know that? I just told them the story as it happened. That was all. I was interested in getting out.

E. H. BLOCH: You were interested in getting out?

GREENGLASS: I said, all I was interested in was getting out the story. Don't misconstrue my words.

E. H. BLOCH: How long ago have you pleaded guilty?

GREENGLASS: A year ago.

E. H. BLOCH: Have you been sentenced?

GREENGLASS: No.

E. H. BLOCH: Do you believe the Court will be easier on you because you are testifying here?

GREENGLASS: I don't believe that in testifying I will help myself to that great extent.

E. H. BLOCH: Will you clarify that?

GREENGLASS: To any great extent.

E. H. BLOCH: Would you say to any extent?

GREENGLASS: To any extent.

E. H. BLOCH: All right. Do you believe that by testifying here that you will help your wife?

GREENGLASS: I don't know what the Government has in mind with my wife and I can't answer for them....

E. H. BLOCH: When you went to high school and Brooklyn Polytech, did you fail in your subjects?

GREENGLASS: I was quite young at the time, about eighteen, and I liked to play around more than I liked to go to school, so I cut classes almost the whole term. Simple.

E. R. BLOCH: How many of the eight courses that you took did you fail?

GREENGLASS: I failed them all.

E. H. BLOCH: Did you go to Pratt Institute?

GREENGLASS: Yes, for a semester and a half. I had to work at night. I got good marks there.

E. H. BLOCH: Congratulations.

COURT: Strike that from the record.

E. H. BLOCH: You never got a science degree?

GREENGLASS: No.

E. H. BLOCH: Did you ever study calculus, or thermodynamics, nuclear physics, or atomic physics?

GREENGLASS: I did not.

E. H. BLOCH: Do you know what an isotope is?

GREENGLASS: I do.

E. H. BLOCH: What is it?

GREENGLASS: An isotope is an element having the same atomic structure, but having a different atomic weight.

E. H. BLOCH: Did you learn that in Los Alamos?

GREENGLASS: I picked it up here and there.

E. H. BLOCH: You told us you snooped around to get information, is that right?

GREENGLASS: Yes.

E. H. BLOCH: Can you give me an instance?

GREENGLASS: A man came to me with a sketch--with a piece of material and said, "Machine it up so that I would have square comers, so I could lay out a lens; come over and pick it up." I would go over to his place. He was a scientist. I would say, "What is the idea?" He would tell me the idea.

E. H. BLOCH: Tricky like, eh.

GREENGLASS: Nothing tricky about it.

COURT: Strike that out....

E. H. BLOCH: Now when you were inducted into the Army, you took an oath, didn't you? You know you have violated that oath?

GREENGLASS: I did.

E. R. BLOCH: Did you consider you were doing an honorable or dishonorable thing?

GREENGLASS: On the basis of the philosophy I believed in, I felt it was the right thing to do at that time.

E. H. BLOCH: Did you continue to think it was the right thing?

GREENGLASS: I was having my doubts.

E. H. BLOCH: When did you begin to have doubts?

GREENGLASS: Almost as soon as I started to do it.

COURT: Did you tell Mr. Rosenberg that you had doubts about the propriety of it?

GREENGLASS: I had a kind of hero worship there and I did not want my hero to fail, and that I was doing the wrong thing by him. That is exactly why I did not stop the thing after I had the doubts.

E. H. BLOCH: You say you had hero worship?

GREENGLASS: That is right.

E. H BLOCH: Who was your hero?

GREENGLASS: Julius Rosenberg.

E. H. BLOCH: I see. Did you have doubts when you took the money?

GREENGLASS: I had plenty of headaches and I felt the thousand dollars was not coming out of Julius Rosenberg's pocket. It was coming out of the Russians' pocket and it didn't bother me one bit to take it, or the $4,000 either.

E. H. BLOCH: Do you consider that the services you rendered to the United States during your army career warranted an honorable discharge?

GREENGLASS: I did my work as a soldier and produced what I had to produce, and there was no argument about my work, and since the information went to a supposed ally at the time, I had no qualms or doubts that I deserved the honorable discharge.

COURT: Do you feel that way today?

GREENGLASS: No, I don't.

E. H. BLOCH: When did you change your mind as to whether or not you were entitled to an honorable discharge?

GREENGLASS: I never thought about it until this moment.

E. H. BLOCH: Now that you have thought about it, do you believe that you were entitled to an honorable discharge?

GREENGLASS: In the light of today's events, I was not entitled to an honorable discharge.

E. H. BLOCH: Do you feel any remorse now for what you did down at Los Alamos?

GREENGLASS: I do....

E. H. BLOCH: Do you bear any affection for your sister, Ethel?

GREENGLASS: I do.

E. H. BLOCH: You realize the possible death penalty in the event Ethel is convicted by this jury?

GREENGLASS: I do.

COURT: Do you realize also that the matter of penalty is entirely in my jurisdiction, not within the jurisdiction of the jury?

GREENGLASS: I understand that, too.

E. H. BLOCH: And you bear affection for Ethel?

GREENGLASS: I do.

E. H. BLOCH: This moment?

GREENGLASS: At this moment.

E. H. BLOCH: Do you bear affection for your brother-in-law, Julius?

GREENGLASS: I do.

E. H. BLOCH: You and Ethel were brought up in your parents' home together?

GREENGLASS: Certainly.

E. H. BLOCH: You both lived in that house until Ethel was married to Julius?

GREENGLASS: That is correct.

E. H. BLOCH: How old was Ethel when she married Julius?

GREENGLASS: It was 1939-- I guess she was about twenty-two.

E. H. BLOCH: How old were you at the time?

GREENGLASS: I was about seventeen.

E. H. BLOCH: Did you have any quarrels with your brother-in-law, Julius?

GREENGLASS: Only business quarrels. It didn't amount to anything.

E. H. BLOCH: Did you ever come to blows with Julius?

GREENGLASS: No, I didn't.

E. H. BLOCH: Do you remember an incident in the corner candy story at Houston and Avenue D when your brother, Bernie, had to separate both of you?

GREENGLASS: It slipped my mind.

E. H. BLOCH: Did you hit Julius?

GREENGLASS: I don't recall if I actually hit him.

COURT: Do you remember what occasioned that?

GREENGLASS: It was some violent quarrel over something in the business. I don't recall exactly what it was. As a matter of fact, I didn't even recall the fight until just this moment.

COURT: Subsequent to that, did you patch things up?

GREENGLASS: Certainly. We were very friendly after that.

E. H. BLOCH: After you were arrested, did you not instruct your attorney to sue Julius Rosenberg for money you claimed he owed you?

GREENGLASS: I did....

E. R. BLOCH: You told us that Rosenberg told you about receiving a console table from the Russians. Was that console table used for eating purposes?

GREENGLASS: That console table was used for photography.

E. H. BLOCH: For photography?

GREENGLASS: That's right. Julius told me that he did pictures on that table....

[NOTE: Bloch showed Greenglass a Jello box and asked him if it was similar to the one he had used years earlier, but Greenglass specified that the original box was darker]

E. H. BLOCH: Are you color blind?

GREENGLASS: I am.

E. H. BLOCH: Do you know what color this is?

GREENGLASS: I do not.

E. H. BLOCH: May we recess until tomorrow, your Honor? I have worked hard all day.

COURT: We will recess at this point, ladies and gentlemen, until 10:30 tomorrow morning....

[NOTE: the next day’s testimony began with Greenglass being shown a brown paper bag (exhibit 10) that he said contained $4000 when it was given to him by Rosenberg.]

E. H. BLOCH: Can you tell us what color that bag is?

GREENGLASS: From previous experience, when I see a shading of this nature, I say it is brown. I don't actually see the color brown, but I say it is brown and I know that I have heard words to the effect that "brown paper bag.... brown manila paper," I realize that it is brown; everybody accepts it as brown, so I call it "brown."

E. H. BLOCH: Even though you are not sure this is brown?

GREENGLASS: No.

Greenglass had testified that he had been given $500 at one time by Rosenberg, and that the currency was all $20 bills. Bloch asked Greenglass how many twenties there were.

SAYPOL: Is this a test?

E. H. BLOCH: Yes, it is a test.

GREENGLASS: You divide 500 by 20?

SAYPOL: The jury would know the answer without testimony.

COURT: He wants to see now whether he knows mathematics.

GREENGLASS: Twenty-five 20-dollar bills.

SAYPOL: Will counsel concede that he passed the test?

E. H. BLOCH: Yes, I think--well, I better not say....

Redirect examination

SAYPOL: By the way, Mr. Greenglass, you told us that you are color blind, is that correct?

GREENGLASS: Yes.

SAYPOL: Can you nevertheless distinguish shadings and dark and light?

GREENGLASS: I can do that.

1. **Testimony of Ruth Greenglass**

Direct Examination

…

R. GREENGLASS: I told my husband that I knew that he was working on the atomic bomb. He asked me how I knew and who had told me. I said that I had been to Julius Rosenberg's house and that he had told me that David's work was on the atomic bomb, and he asked me how Julius knew it and I told him of the conversation we had had, that Julius had said they spent two years getting in touch with people who would enable him to do work directly for the Russian people, that his friends, the Russians, had told him that the work was on the atomic bomb, that the bomb had dangerous radiation effects, that it was a very destructive weapon and that the scientific basis, the information on the bomb should be made available to Soviet Russia....

KILSHEIMER: Now will you state as best you can recollect, the substance of that conversation which you had with the Rosenbergs on that occasion?

R. GREENGLASS: Yes. Julius said that I might have noticed that for some time he and Ethel had not been actively pursuing any Communist Party activities, that they didn't buy the *Daily Worker* at the usual newsstand; that for two years he had been trying to get in touch with people who would assist him to be able to help the Russian people more directly other than just his membership in the Communist Party, and he went on to tell me that he knew that David was working on the atomic bomb and I asked him how he knew, because I had received an affidavit from the War Department telling me--I said that I had received an affidavit from the War Department telling me that my mail to David would be censored and his to me, because he was working on a top secret project. And he said--I wanted to know how he knew what David was doing. He said that his friends had told him that David was working on the atomic bomb, and he went on to tell me that the atomic bomb was the most destructive weapon used so far, that it had dangerous radiation effects, that the United States and Britain were working on this project jointly and that he felt that the information should be shared with Russia, who was our ally at the time, because if all nations had the information then one nation couldn't use the bomb as a threat against another. He said that he wanted me to tell my husband, David, that he should give information to Julius to be passed on to the Russians.

KILSHEIMER: And what information did he ask you to obtain from your husband if he should be willing to do it?

R. GREENGLASS: He wanted a physical description of the project at Los Alamos, the approximate number of people employed, the names of some of the scientists who were working there--something about whether the place was camouflaged, what the security measures were and the relative distance of the project to Albuquerque and Santa Fe.

Greenglass said she didn't want David to engage in espionage at Los Alamos, but told him of Julius's request that he do so:

R. GREENGLASS: My husband did not give me an immediate answer; at first he, too, refused, and the following day he told me that he would consent to do this.

KILSHEIMER: Now, did you inform your husband as to the type of information that Julius Rosenberg had asked you to obtain?

R. GREENGLASS: Yes, I did.

…

[Ruth Greenglass admitted to advising her husband David as to his espionage activities]

GREENGLASS: I told him to be very careful in getting the information, not to take any papers, not to take any blueprints, not to be obvious in seeking information from other people, and be careful not to get involved in political discussions.

[Ruth Greenglass’ infamous testimony as to Ethel’s typing up the notes came out of her description of a meeting they all had with the Rosenbergs in New York and a later meeting]

KILSHEIMER: What did you say to Ethel Rosenberg at that time?

R. GREENGLASS: Well, Ethel said that she was tired, and I asked her what she had been doing. She said she had been typing; and I asked her if she had found David's notes hard to distinguish. She said no, she was used to his handwriting. Then she said that Julie, too, was tired; that he was very busy; he ran around a good deal; that all his time and his energies were used in this thing; that was the most important thing to him…

[Ruth Greenglass testified about the Jello box created by Harry Gold, and confirmed that he had given them $500 in twenty dollar bills and went on to discuss another meeting in September 1945]

R. GREENGLASS: Well, Ethel was typing the notes and David was helping her when she couldn't make out his handwriting and explained the technical terms and spelled them out for her, and Julius and I helped her with the phraseology when it got a little too lengthy, wordy.

…

[Ruth later testimony, in pertinent part, included testified about the mahogany console table in the Rosenberg’s apartment, which she claimed that Julius showed her was designed to microfilm notes. She also recounted the circumstances leading up to David’s arrest.]

Cross-examination

A. BLOCH: Do you think that acting as a spy against the interests of the United States is a crime?

R. GREENGLASS: I think it is wrong.

A. BLOCH: When did you first realize that it was wrong?

R. GREENGLASS: I have always known it was wrong....

A. BLOCH: Well, when you say you know it's wrong, was it wrong in your opinion morally?

R. GREENGLASS: I felt that we had taken something into our hands that we were not equipped to handle with, we were tampering with things that were beyond our knowledge and understanding, yes.

A. BLOCH: And you realized that in 1946?

R. GRENGLASS: I realized it in 1944.

A. BLOCH: And you kept on doing what you said you did?

R. GREENGLASS: I have told the truth about what I did....

…

[Bloch questioned Ruth about her testimony related to her earlier testimony about when Julius suggested that David being obtaining classified information and then accused her of having delivered it from memory]

R. GREENGLASS: I never memorized it. I knew it too well.

A. BLOCH: Well, are you aware of the fact that the narrative you just gave us is almost identical with the verbiage used on your first giving of the testimony of that particular occurrence?

R. GREENGLASS: No, I am not.

SAYPOL: Just a moment. I appreciate so expert an opinion as to the accuracy of the witness's recollection, but I object to the form of the question.

COURT: Your objection is sustained. I don't know exactly what the point is. If the witness had left out something, Mr. Bloch would say that the witness had left out something. Mr. Bloch would say that the witness didn't repeat the story accurately. And the witness repeats it accurately, and apparently that isn't any good.

A. BLOCH: What I am referring to is the verbatim repetition of the verbiage.

COURT: Well, we don't know that it is verbatim. We haven't had the record yet.

A. BLOCH: Well, it is a matter, of course, of comparing the testimony after we get it written up.

COURT: Mr. Bloch asked the question; the witness has answered.

A. BLOCH: Very well....

A. BLOCH: Well, at the time you told [David] to go to Mr. Rogge[the Greenglass's attorney], you say you had made up your mind and your husband had made up his mind to tell the truth; is that the idea?

R. GREENGLASS: I had always intended to tell the truth.

A. BLOCH: Yes, that means to confess?

COURT: It means to tell the truth.

A. BLOCH: That means to confess?

COURT: That means to tell the truth.

A. BLOCH: Yes, but I want the witness to answer, not your Honor. I know what is in your Honor's mind. I want to know what is in the witness' mind, and the jury wants to know what is in the witness' mind.

COURT: Can you answer that question?

R. GREENGLASS: Well, I have confessed everything I know about it.

COURT: Very well.

A. BLOCH: And you nevertheless told your brother-in-law to pay Mr. Rogge $4,000?

R. GREENGLASS: Yes.

BLOCH: . . . [T]oday you entertain a hope that your husband is going to be treated by the Court with lenience?

R. GREENGLASS: I am telling the story because it's true and I hope and pray that my husband will come home. That is what I want, but I am not telling the story for that, no.

A. BLOCH: Did Julius tell you not to jot all this information down in writing?

R. GREENGLASS: That's right.

A. BLOCH: Did Greenglass tell you that you were to memorize that in-formation?

R. GREENGLASS: He did.

A. BLOCH: And to transmit it to Rosenberg?

R. GREENGLASS: Yes.

A. BLOCH: Did you ask him why you weren't to take it down in writing?

R. GREENGLASS: I didn't have to ask him. Julius had instructed me not to.

A. BLOCH: Well, did you realize then that there was danger in your taking this thing down in writing all these items down in writing?

R. GREENGLASS: I think I was too young to realize the whole thing fully at the time.

A. BLOCH: How old are you?

R. GREENGLASS: Twenty-six.

A. BLOCH: And at that time you were approximately twenty?

R. GREENGLASS: That's right.

A. BLOCH: So you now say, because you were young you didn't realize the danger?

R. GREENGLASS: No, I don't say that. I say I don't think I understood the significance of what was happening.

A. BLOCH: Oh, you didn't, and the first time you began to realize it was when?

R. GREENGLASS: I think I realized it most clearly after Gold left and then again after the bomb had been dropped on Hiroshima....

A. BLOCH: Nevertheless, on the 28th of May 1950, you took passport photographs?

R. GREENGLASS: That is right.

A. BLOCH: Six copies of them, is that right?

R. GREENGLASS: Yes.

A. BLOCH: And at the time these photographs were taken you knew that you were not leaving the country?

R. GREENGLASS: That is right.

A. BLOCH: Did you talk it over with your husband as to the reason you were taking photographs when you did not intend to leave the country?

R. GREENGLASS: Yes.

A. BLOCH: Was it to deceive Rosenberg?

R. GREFNGLASS: Yes.

A. BLOCH: And make him believe that you were going away?

R. GREENGLASS: That is right.

A. BLOCH: Did you have in mind that you were going to get additional money?

R. GREENGLASS: No, it wasn't a question of giving him the pictures for the money.

A. BLOCH: Well, what was the object of deceiving him?

R. GREENGLASS: Because we didn't want Mr. Rosenberg to think we were going to stay in the country, because we were harmful to him.

A. BLOCH: Didn't you have in mind at all the $4,000, or the $5,000 that you were to receive?

R. GREENGLASS: That was not the purpose of taking the pictures.

A. BLOCH: You took the $4,000?

RUTH GREENGLASS: Yes, he gave it to my husband.

A. BLOCH: You were there at the time, weren't you?

R. GREENGLASS: I was in the house....

…

1. **Testimony of Harry Gold**

Direct Examination

[Gold gave testimony as to his dealings with the Russian chief of the U.S.-based spy network and began to detail his work as a Soviet agent. Bloch objected vociferously to Gold’s testimony as to his “Soviet espionage work” on the grounds that a foundation had not been laid. A rather heated exchange ensued between the Judge and Bloch, in which the judge attempted to clarify that Bloch wanted Gold to show evidence that confirmed his conclusion he had worked as a Soviet spy]

COURT: All right. The fact of the matter is that you did plead guilty to an indictment charging you with espionage for the Soviet Government; is that correct?

GOLD: That is correct, your Honor.

COURT: All right.

[Gold provided detailed information on his espionage activities.]

GOLD: In other words, if we were just going to discuss the possibility of obtaining certain types of information, the hazards involved, just how much information should be obtained and just what source was needed, then a rather long meeting was scheduled. If I was going to actually get information, very usually a brief meeting was scheduled, the idea being to minimize the time of detection when information would be passed from the American to me. In addition to this I made payments of sums of money to some of the people whom I regularly contacted and always I wrote reports detailing everything that happened at every meeting with these people; and these reports I turned over to [Russian spy chief] Yakovlev.

COURT: And where would you get the money from, that you paid to some of these people for the information?

GOLD The money was given to me by Yakovlev....This is how it worked: We had an arrangement not only for regular meetings but we had an arrangement for alternate meetings, should one of the regular ones not take place, and then in addition to that we had an arrangement for an emergency meeting. This emergency meeting was a one-way affair. A system was set up whereby Yakovlev could get in touch with me if he wanted me quickly, but I couldn't get in touch with him because I didn't know where. Yakovlev told me that in this way the chain was cut in two places. The person from whom I got the information in America did not know me by my true name, nor did he know where I lived, nor could he get in touch with me and I couldn't get in touch with Yakovlev. Yakovlev said this was a good thing.

…

LANE: The Government, your Honor has no further questions.

COURT: Any cross?

E. H. BLOCH: The defendants Rosenberg have no cross-examination of this witness.

PHILLIPS: No cross.

COURT: The witness is excused.

***Part II: Defense Witnesses***

1. **Julius Rosenberg**

E. H. BLOCH: Now, Mr. Rosenberg, are you aware of the charge that the Government has leveled against you?

ROSENBERG: I am.

E. H. BLOCH: D o you know what you are being charged with?

ROSENBERG: Yes.

E. H. BLOCH: What are you being charged with?

ROSENBERG: Conspiracy to commit espionage to aid a foreign government.

E. H. BLOCH: And you have been here all the time that the witnesses who appeared for the prosecution testified?

ROSENBERG: Yes, sir, I have.

E. H. BLOCH: And amongst those witnesses did you hear your brother-in-law Dave Greenglass testify?

ROSENBERG: Yes, I did.

E. H. BLOCH: And did you hear your sister-in-law Ruth Greenglass testify?

ROSENBERG: I did.

E. R. BLOCH: Now I want to direct the following questions and try to have you focus your attention upon your recollection of their testimony. Mrs. Ruth Oreenglass testified here, in substance, that in the middle of November 1944, you came over to her house or you invited her to your house and you asked her to enlist her husband, Dave Greenglass, in getting information out of where he was working and deliver or convey that information to you.Did you ever have any conversation with Mrs. Ruth Greenalass at or about that time with respect to getting information from Dave Greenglass out of the place that he was working?

ROSENBERG: I did not.

E. H. BLOCH: Did you know in the middle of November I944 where Dave Greenglass was stationed?

ROSENBERG: I did not.

E. H. BLOCH: Did you know in the middle of November 1944 that there was such a project known as the Los Alamos Project?

ROSENBERG: I did not. . . .

E. H. BLOCH: Did you ever give Ruth Greenglass $250, for her to go out to visit her husband in New Mexico, for the purpose of trying to enlist him in espionage work?

ROSENBERG: I did not

E.H. BLOCH: Did you ever give Ruth Greenglass one single penny at any time during your life?

ROSENBERG: I did not.

E. H. BLOCH: Now Ruth Greenglass testified in substance, that she went out to visit her husband, and when she came back here she conveyed certain information which she had received from her husband, and I refer specifically to the names of certain scientists like Dr. Niels Bohr, Dr. Oppenheimer, Dr. Urey. Did you ever have a conversation with Ruth Greenglass in the month of December I944, in which any of those names were mentioned?

ROSENBERG: I did not have such a conversation. . . .

E. H. BLOCH: Did you know of the existence of the Los Alamos Project in December 1944?

ROSENBERG: I did not.

E. H. BLOCH: Dave Greenglass and Ruth Greenglass testified that about two days after Dave came into New York you came over to their house one morning and you asked Dave for certain information.Did you ever go over to the Greenglasses' house and ask them for any such information?

ROSENBERG: I did not....

Rosenberg testified that he never knew Greenglass was working on developing an atomic bomb. Saypol objected to Rosenberg's statement.

COURT: No, no, that is the only way he can answer the charges. We have got to find out what was in his mind.

SAYPOL: True.

COURT: At any time prior to January 1945, had anybody discussed with you, anybody at all, discussed with you the atom bomb?

ROSENBERG: No, sir; they did not.

COURT: Did anybody discuss with you nuclear fission?

ROSENBERG: No, sir.

COURT: Did anybody discuss with you any projects that had been going on in Germany?

ROSENBERG: No, sir.

COURT: On the atom bomb?

ROSENBERG: No, sir....

Rosenberg was shown a photograph of Yakovlev, the Soviet spymaster who fled to the Soviet Union.

ROSENBERG: I have never seen this man in my life.

COURT: Did you know anybody at all in the Russian Consulate office?

ROSENBERG: I did not, sir.

Rosenberg was asked about the testimony of Greenglass concerning Rosenberg's meeting in a car with a Russian agent.

E. H. BLOCH: Did any such incident occur?

ROSENBERG: That incident never occurred, sir....

COURT: Did you ever discuss with Ann Sidorovich the respective preferences of economic systems between Russia and the United States?

ROSENBERG: Well, your Honor, if you will let me answer that question in my own way I want to explain that question.

COURT: Go ahead.

ROSENBERG: First of all, I am not an expert on matters on different economic systems, but in my normal social intercourse with my friends we discussed matters like that. And I believe there are merits in both systems, I mean from what I have been able to read and ascertain.

COURT: I am not talking about your belief today. I am talking about your belief at that time, in January 1945.

ROSENBERG: Well, that is what I am talking about. At that time, what 1 believed at that time I still believe today. In the first place, I heartily approve our system of justice as performed in this country, AngloSaxon jurisprudence. I am in favor, heartily in favor, of our Constitution and Bill of Rights and I owe my allegiance to my country at all times.

E. H. BLOCH: Do you owe allegiance to any other country?

ROSENBERG: No, I do not.

E. H. BLOCH: Have you any divided allegiance?

ROSENBERG: I do not.

F. H. BLOCH: Would you fight for this country

ROSENBERG: Yes, I will.

E. H. BLOCH: If it were engaged in a war with--

ROSENBERG: Yes, I will, and in discussing the merits of other forms of governments, I discussed that with my friends on the basis of the performance of what they accomplished, and I felt that the Soviet Government has improved the lot of the underdog there, has made a lot of progress in eliminating illiteracy, has done a lot of reconstruction work and built up a lot of resources, and at the same time I felt that they contributed a major share in destroying the Hitler beast who killed six million of my co-religionists and I feel emotional about that thing.

E. H. BLOCH: Did you feel that way in 1943?

ROSENBERG: Yes, I felt that way in 1945--

E. H. BLOCH: Do you feel that way today?

ROSENBERG: I still feel that way.

COURT: Did you approve the communistic system of Russia over the capitalistic system in this country?

ROSENBERG: I am not an expert on those things, your Honor, and I did not make any such direct statement. E. H. BLOCH: Did you ever make any comparisons in the sense that the Court has asked you, about whether you preferred one system over another?

ROSENBERG: No, I did not. I would like to state that my personal opinions are that the people of every country should decide by themselves what kind of government they want. If the English want a king, it is their business. If the Russians want communism, it is their business. If the Americans want our form of government, it is our business. I feel that the majority of people should decide for themselves what kind of government they want.

E. H. BLOCH: Do you believe in the overthrow of government by force and violence?

ROSENBERG: I do not.

E .H. BLOCH: Do you believe in anybody committing acts of espionage against his own country?

ROSENBERG: I do not believe that.

COURT: Well, did you ever belong to any group that discussed the system of Russia?

ROSENBERG: Well, your Honor, if you are referring to political groups-- is that what you are referring to?

COURT: Any group.

ROSENBERG: Well, your Honor, I feel at this time that I refuse to answer a question that might tend to incriminate me.

COURT: I won't direct you at this point to answer; I will wait for the cross-examination.

Rosenberg was asked whether he had ever cut the side of a Jell-O box to use as a recognition signal.

E. H. BLOCH: Did any such incident ever take place?

ROSENBERG: It never did.

Rosenberg was asked about the nature of the visit with Greenglass when he was in New York on forlough.

E. H. BLOCH: Did you discuss politics with Greenglass that night?

ROSENBERG: Well, as every intelligent American did in those times, we discussed the war.

SAYPOL: May I ask to have the answer stricken as not responsive?

E. H. BLOCH: I consent.

SAYPOL: I don't want this man set up as a standard for intelligent Americans.

E. H. BLOCH: Now, I move to strike out Mr. Saypol's statement.

COURT: Disregard Mr. Saypol's statement and strike from the record "intelligent Americans."

E. H. BLOCH: Never mind about any intelligent American. We are asking you whether you and your wife and sister-in-law and brother-in-law discussed politics?

ROSENBERG: Yes, we discussed the war.

E. H. BLOCH: Was that unusual for you to discuss politics with your familv or friends?

ROSENBERG: No, it was not.

E. H. BLOCH: Have you any independent recollection of what specific subject you discussed that night with Dave and Ruth?

ROSENBERG: Well, we were talking about the effort all the different Allies were making in the war and we noted that the Russians were carrying at that particular time the heaviest load of the German Army....

E. H. BLOCH: Did you ever mention to Davey that you would support him or get the Russians to support him if he continued his college education?

ROSENBERG: I did not....

Rosenberg denied having contact with any employees of General Electric, a company which developed technology that would be of interest to the Soviets.

COURT: Did you know anybody working there?

ROSENBERG: Sure I did.

COURT: Whom did you know working there?

ROSENBERG: Morton Sobell.

COURT: How long had you known Sobell?

ROSENBERG: I went to school with him.

COURT: And you had known him continuously right up until the present day?

ROSENBERG: Well, sporadically for a time and then--

COURT: Rather close?

ROSENBERG: Well, he was a friend of mine....

Rosenberg testified as to his version of the conversation he had with Greenglass during the walk they took shortly before Greenglass was arrested.  Rosenberg said that during their walk Greenglass demanded $2,000. According to Rosenberg, Greenglass claimed Julius owed him for their failed business venture.(Greenglass had testified that during the walks Julius described how he might flee the United States and take a circuitous route to the Soviet Union.)

COURT: And you can't think of any reason whatsoever, can you, why David Greenglass would, of all the people he knew, his brother, all the other members of his family, single you out, as he did apparently and as you say he did, and say that you would be sorry unless you gave him the money?

ROSENBERG: Well, he knew that I owed--he had an idea that I owed him money from the business, and I guess that is why he figured he wanted to get money from me.

Rosenberg was asked to describe his interviews with the FBI conducted prior to his arrest.

ROSENBERG: Well, there was a Mr. Norton in the room sitting at a desk with a pad in front of him, and Mr. Harrington sat on the other side of the table. I sat down on the front side of the table and another member of the FBI came in and sat behind, and they started asking questions about what I knew about David Greenglass. First they tried to get my background, what relations I had with him. I gave them my school background, work background and I told them whatever I knew about David Greenglass' education and his work background.

E. H. BLOCH: Did you tell them that you had formerly been employed by the Government of the United States?

ROSENBERG: Yes, I told them, and at that point they said to me--they questioned me and tried to focus my attention to, as I notice now, certain dates in the overt acts listed in this indictment. They asked me questions concerning when David Greenglass came in on furlough. I didn't remember. I helped them as much as I could in what I could remember. At one point in the discussion, I would say it was about two hours after I was there, they said to me, "Do you know that your brother-in-law said you told him to supply information for Russia?" So I said, "That couldn't be so." So I said, "Where is David Greenglass?" I didn't know where he was because I knew he was taken in custody. They wouldn't tell me. I said, "Will you bring him here and let him tell me that to my face?" And they said, "What if we bring him here, what will you do?" "I will call him a liar to his face because that is not so." And I said, "Look, gentlemen, at first you asked me to come down an d get some information concerning David Greenglass. Now you are trying to implicate me in something. I would like to see a lawyer!Well, at this point, Mr. Norton said, "Oh, we are not accusing you of anything. We are just trying to help you."I said, "I would like to get in touch with the lawyer for the Federation of Architects and Engineers." I asked the FBI to please call him. Well, at this point Mr. Norton said, "Have a smoke, have a piece of gum. Would you like something to eat?" And the language he used in his actions were what the fellows at West Street would call conning--and we discussed around the point. Mr. Norton asked me again, "Did you ask David Greenglass to turn over information for the Russians?" And I said, "No." I denied it. And then we discussed again what periods of time David Greenglass came in. I didn't recall too well and I kept on asking Mr. Norton, "I want to get in touch with my lawyer."Finally, some time after lunch, it was probably between 10 and 1, my wife reached me at the FBI office and I told her that the FBI is making some foolish accusations, to please--

SAYPOL: May that--

E. H. BLOCH: Never mind what you told your wife--

SAYPOL: No, no, I do not mind what he told his wife but I mind his characterization about what the charges were.

COURT: Oh, now, wait a minute, Mr. Saypol; that objection doesn't mean anything. You are either going to object to what he told his wife--if that is what he told his wife--he has a right to repeat it here.

SAYPOL: I do not object to what he told his wife.

COURT: Then he can go right ahead.t

Rosenberg testified that he was finally permitted to call his attorney.

ROSENBERG: I told him I was down at the FBI, and he said, "Are you under arrest?" I said, "I don't know." He said, "Ask the FBI if you are under arrest." And I asked Mr. Norton, "Am I under arrest?" He said, "No." Then he said, "Pick yourself up and come down to our office," and I said, "Good-bye, gentlemen," and I left the FBI office.

Rosenberg testified that after his FBI interviews he mad no effort to remove any items from his house or conceal any information from authorities.

COURT: Did you know whether you were under surveillance by the FBI at that time?

ROSENBERG: No, I didn't know.

COURT: Did you think you were?

ROSENBERG: It didn't matter.

COURT: Did you think you were?

ROSENBERG: I didn't know.

COURT: I am asking you whether you thought you were.

ROSENBERG: I don't know, your Honor....

ROSENBERG: It occurred to me that they would have arrested me if they suspected me.

COURT: The answer is you didn't think you were under surveillance?

ROSENBERG: There was a possibility I could have been under surveillance.

COURT: Did you think there was that possibility?

ROSENBERG: Yes, it entered my mind....

E. H. BLOCH: Just one last question. Did you ever have any arrangement with Dave Greenglass or Ruth Greenglass or any Russian or with your wife or with anybody in this world to transmit information to the Soviet Union or any foreign power?

ROSENBERG: I did not have any such arrangement.

E. H. BLOCH: I think I am through, your Honor.

E. H. BLOCH: I am sorry, your Honor, I forgot to cover two incidents in connection with the testimony of Elitcher....

Rosenberg admitted in his testimony that he had visited Elitcher in Washington, D.C.

ROSENBERG: I was there alone and I was lonesome and I looked up in the telephone book for Mr. Elitcher's number, and I called him one evening.

E.H. BLOCH: Did he invite you over to the house?

ROSENBERG: Yes, he did.

Rosenberg testified that the visit was simply a friendly one, with pie and coffee, but no business.

E.H. BLOCH: Did you during the course of that evening ever say to Mr. Elitcher in specific words or by implication, that you wanted him to engage in espionage work, or let me put it this way, or that you wanted him to get certain information from the Government by reason of this access to certain secret information?

Cross-Examination:

SAYPOL: You told us about Greenglass taking you for a walk and demanding $2,000 from you. Did you tell your wife about this?

ROSENBERG: Yes, she wanted to help him even though I thought we should not after he tried to blackmail me.

COURT: Blackmail you?

ROSENBERG: Well, he threatened me to get money.

COURT: You said he told you that you would be sorry if you didn't get the money.

ROSENBERG: Yes. I consider it blackmail when someone says that.

COURT: Did he say what he would do to you?

ROSENBERG: No, he didn't.

COURT: Did he say he would go to the authorities and tell them that you were in a conspiracy with him to steal the atomic bomb secret?

ROSENBERG: No.

COURT: Do you think that was what he had in mind?

ROSENBERG: How could I know what he had in mind.

COURT: What do you mean by blackmail then?

ROSENBERG: Maybe he threatened to punch me in the nose or something like that....

SAYPOL: Now, how well did you know Elitcher in college?

ROSENBERG: Very casually.

SAYPOL: Did you go out with him socially?

ROSENBERG: I did not.

SAYPOL: Did you have girls, girl friends together?

ROSENBERG: We did not.

SAYPOL: And you graduated in I939, I think, didn't you?

ROSENBERG: That is correct.

SAYPOL: Then the next time that you saw him was at a swimming pool for a minute in Washington, in 1940; is that right?

ROSENBERG: That is correct.

SAYPOL: How long did you see him, for just a minute?

ROSENBERG: That's right.

SAYPOL: What did you talk about in that minute, very much?

ROSENBERG: Just, "Hello. I am working in Washington." That is what he said to me.

SAYPOL: Then you didn't hear from him or see him again until when?

ROSENBERG: Until sometime in '44. A cross-examiner picks up acorns as he heads for the meadow. Saypol asked him whether Elitcher was right in saying it was "D Day" and they drank a toast to the second front. No, he only remembered having coffee:

SAYPOL: Were you happy when the second front was opened?

ROSENBERG: Yes, I was happy when the second front was opened.

SAYPOL: And then four years later, when you were in Washington, you decided that you wanted to call him and pay him a visit?

ROSENBERG: That's right.

SAYPOL: Well, what was it that you wanted to see him about?

ROSENBERG: I was lonesome and I just wanted to see somebody to talk to.

SAYPOL: And out of the clear sky you looked in the telephone book under "E" for the name Elitcher and you called him up?

ROSENBERG: Mr. Saypol, I was looking in the phone book for any names that I could recognize as former classmates or people I knew at one time.

COURT: What names were you looking for?

ROSENBERG: For some names I might recognize.

COURT: You mean, you started with "A" and started going--

ROSENBERG: No, I didn't just start with "A"; I thought of a couple of people's names who might be in Washington; I remembered the incident at the swimming pool at that time, that Elitcher was in Washington, and perhaps he had a telephone.

Saypol asked Rosenberg why had he not called other people with whom he had worked in Washington.

ROSENBERG: I didn't know them socially.

SAYPOL: Did you know Elitcher socially?

ROSENBERG: No, but he had been a former classmate.

Saypol asked Rosenberg what he said to Elitcher when he called.

ROSENBERG: I said something to the effect: "I am in town; can I come over to see you."

SAYPOL: Well, did you tell him what your name was?

ROSENBERG: Sure.

SAYPOL: Did he recognize your name right away?

ROSENBERG: I don't recall if he did or if he didn't, but he says, "Come over."

SAYPOL: Did you tell him before that you were the fellow who used to go to school with him and saw him at the swimming pool for a minute four years ago?

ROSENBERG: I told him I was a classmate of his.

SAYPOL: Did you tell him about the swimming pool?

ROSENBERG: I didn't tell him on the telephone.

SAYPOL: Now tell us, what did you talk about? Did you tell him why you came to see him? Didn't he ask you, "Just why out of the clear sky do you pick on me to pay a visit to like this? I never really knew you."

ROSENBERG: He didn't say that....

SAYPOL: Had you known of Elitcher's activities in the Young Communist League at City College?

E. H. BLOCH: Well, if the Court please, I think that presupposes a state of facts that is not proven. I do not recollect that Elitcher testified that he was a member of the Young Communist League.

COURT: Yes, I am quite sure of that.

E. H. BLOCH: All right, I will withdraw my objection, your Honor.

JULIUS ROSENBERG: Can I state something, sir?

COURT: Yes.

SAYPOL: You will in a minute.

COURT: Let him state.

ROSENBERG: I would like to state, on any answer I made on this questions, I don't intend to waive any part of my right of self-incrimination, and if Mr. Saypol is referring to the Young Communist League or the Communist Party, I will not answer any question on it.

COURT: You mean, you assert your constitutional privilege against self-incrimination?

ROSENBERG: That's right....

Rosenberg testified that he Elitcher had conversations about the war.

COURT: Well now, did you feel that if Great Britain shared in all our secrets that Russia should at the same time also share those secrets in 1944 and 1945?

ROSENBERG: My opinion was that matters such as that were up to the Governments, the British, American, and the Russian Governments.

COURT: You mean the ultimate decision?

ROSENBERG: Yes.

COURT: Well, what was your opinion at the time?

ROSENBERG: My opinion was that if we had a common enemy we should get together commonly.

SAYPOL: Well, what did you know about the subject to express an opinion? Did you talk about it with others?

ROSENBERG: I read about it in the newspapers.

SAYPOL: Did you talk about it in groups?

ROSENBERG: Socially, when people came over to the house.

SAYPOL: Did you talk about it perhaps in any Communist unit that you might have belonged to?

ROSENBERG: I refuse to answer that question on the ground that it may incriminate me.

COURT: I want the jury to understand that they are to draw no inference from the witness' refusal to answer on his assertion of privilege. Proceed.

Rosenberg was asked about his dismissal from his job with the U. S. Signal Corps in 1945:

SAYPOL: What really happened to you, you were dismissed were you not?

ROSENBERG: I was suspended.

SAYPOL: Were you then dismissed?

ROSENBERG: That is correct.

SAYPOL: And what was the reason?

ROSENBERG: It was alleged that I was a member of the Communist Party. . . .

SAYPOL: It is not a fact that on that occasion you were told you were being removed from Government service because of the fact that information had been received that you were a member of the Communist Party?

ROSENBERG: I can't recall the date exactly.

SAYPOL: Can you recall the fact of being advised that that information that you were a member of the Communist Party was imparted to you?

ROSENBERG: I was down at Captain Henderson's office on one occasion.

SAYPOL: Is it not a fact that on that occasion you were told you were being removed from Government service because of the fact that information had been received that you were a member of the Communist Party?

E. H. BLOCH: If Mr. Saypol wants a concession I will concede right now that this witness was removed from Government service upon charges that he was a member of the Communist Party.

COURT: All right.

SAYPOL: Were you a member of the Communist Party?

ROSENBERG: I refuse to answer on the ground that it might incriminate me.

SAYPOL: Is it not a fact that in February 1944 you transferred from Branch 16-B of the Industrial Division of the Communist Party to the Eastern Club of the First Assembly under Transfer No. 12179?

ROSENBERG: I refuse to answer.

SAYPOL: Is that one of the charges Captain Henderson read to you?

ROSENBERG: That is.

SAYPOL: Did Captain Henderson advise you at that time that information had been received that while a student at City College you signed a petition for the granting of a charger to a chapter of the American Student Union, which has been reported to be or had been under the influence of Communists?

ROSENBERG: He informed me.

SAYPOL: Is that the fact?

ROSENBERG: I don't remember.

COURT: Mr. Saypol, I suggest that you ought to get to y our destination on this. I don't think that we ought to pursue this particular line in view of the witness' expression that he is going to assert h is privilege on the entire line.Is it not the fact that you were removed from that position for that reason--for these reasons, that you were a member and you were active in the party?

E. H. BLOCH: I have conceded so, your Honor.

COURT: Wait, let us get this clear. You did not concede, as I understand it, that he was removed because he was a member. You concede, as I remember, that he was removed because of the charges.

E. H. BLOCH: That is correct.

COURT: Well, you just said that you will concede that he was a member.

E. H. BLOCH: Well, I am conceding this, that this witness was removed from the Government service upon certain charges that were preferred against him under t he authority of the Secretary of War.

COURT: I understand that....

SAYPOL: And then you go on to say: "I am not now, and never have been a Communist member. I know nothing about Communist branches, divisions, clubs or transfers. I never heard either of the Division or the Club referred to. I had nothing to do with the so-called transfer. Either the case is based on a case of mistaken identity or a complete falsehood. In any event, it certainly has not the slightest basis in fact." Did you make that answer to those charges, yes or no?

ROSENBERG: I refuse to answer a question on the contents of that letter.

SAYPOL: I ask you whether you made that answer to those charges as I have read them to you?

E. H . BLOCH: May I advise the client, your Honor, that he should answer that question yes or no.

COURT: Very well.

ROSENBERG: Yes, I sent the letter in answer to those charges.

SAYPOL: Was that answer true at the time you made it?

ROSENBERG: I refuse to answer....

Rosenberg was questioned about his testimony that he did not know that he was under FBI surveillance.

SAYPOL: Did you think it was unusual to see an agent of the FBI, after he had talked with you at an interview, looking up at your shop?

ROSENBERG: That is his business, Mr. Saypol, not mine.

SAYPOL: What did you think about it?

ROSENBERG: The possibility he was looking for something.

SAYPOL: Somebody else?

ROSENBERG: I have no idea what he was looking for.

SAYPOL: You were not concerned about his presence outside your shop?

ROSENBERG: No, I wasn't concerned, Mr. Saypol, because I wasn't guilty of any crime.

COURT: The question is, did you think about what he was doing there?

ROSENBERG: No, it didn't enter my mind. It was his business.

COURT: The fact that you say an FBI agent looking into your place of business--

ROSENBERG: He wasn't looking; he was across the street from the Pitt Machine works and he was walking by nonchalantly looking in.

COURT: That was the same agent who had talked to you?

ROSENBERG: Yes.

COURT: You say it made no impression whatsoever upon you?

ROSENBERG: It didn't concern me.

COURT: I say, it made no impression on you?

ROSENBERG: I knew he may have been looking for something.

COURT: You didn't think it had anything to do with you?

ROSENBERG: It might have and it might not have, but it didn't concern me.

COURT: I am asking you whether you thought it had anything to do with you.

ROSENBERG: Maybe yes and maybe no. It didn't enter my mind as to what his purpose was.

COURT: Is that the best answer you could give?

ROSENBERG: Yes.

COURT: Maybe yes and maybe no?

ROSENBERG: Yes.

Rosenberg was asked about the console table that was in his home and was said to be used for espionage purposes. Rosenberg had testifies that it came from Macy's.

ROSENBERG: Mr. Saypol, could I say something on that? I have asked my attorneys to have the Macy's people go through their records and files, and I am sure if the Government request them they will find a sales slip with my signature on it, when I signed in Macy's in 1944 or ‘45, for that console table, and I believe I bought something else at that time, too. It was shipped to my house.

COURT: What did you have, a D.A. Account or cash?

ROSENBERG: No, I had to pay cash.

COURT: Why would your name be on a sales slip?

ROSENBERG: Because I had to give him the money, and there was--I had to have some notation like a receipt, that I paid the money. I believe the salesman brought over one of these folding booklets, and I signed one of these folding booklets.

COURT: Was it delivered, or did you take it with you?

ROSENBERG: It was delivered. It was too big for me to take with me.

SAYPOL: Do you know, Mr. Rosenberg, that we have asked Macy's to find that slip and they can't find it?

E. H. BLOCH: That s not so, your Honor. That is the statement I was going to make.

SAYPOL: I am responding to what Mr. Bloch said and what the witness has volunteered.

COURT: Mr. Bloch, please be seated. Youwill have your chance on redirect.

ROSENBERG: Your Honor, I have requested my attorneys to find that receipt.

COURT: You said that before.

ROSENBERG: And my attorneys told me that Macy's cannot find the receipt unless I gave them a number or copy of receipt that I had, because it is filed by number.

COURT: All right, go ahead.

ROSENBERG: Now, I feel that if somebody looks through all the numbers through all those years, they will find one for Julius Rosenberg, and it is worth finding if it is such an important issue.

SAYPOL: When did you see it last in the living room?

ROSENBERG: When I was arrested, sir.

SAYPOL: Did you have any trouble finding any furniture at that time?

ROSENBERG: That was on the floor of Macy's. There was a big display, many little tables were on the floor.

SAYPOL: The place was full of little tables?

ROSENBERG: That's right.

SAYPOL: Don't you know, Mr. Rosenberg, that you couldn't buy a console table in Macy's, if they had it, in 1944 and 1945, for less than $85?

ROSENBERG: I am sorry, sir. I bought that table for that amount. That was a display piece, Mr. Saypol, and I believe it was marked down.

Rosenberg was asked why he didn't tell the FBI about Greenglasses' desire to steal parts from the military:

SAYPOL: Did you think you should have volunteered it to them?

ROSENBERG: Well, when a member of the family is in trouble, Mr. Saypol, you are not interested in sinking him.

COURT: Were you trying to protect him at that time?

ROSENBERG: Well, I didn't know what he was accused of, your Honor. I had a suspicion he was accused of stealing some uranium at that time.

COURT: Well, in connection with that, were you interested in protecting him?

ROSENBERG: I wasn't interested in doing him any harm at that particular point.

COURT: You are not answering the question. You were interested in protecting him?

ROSENBERG: Not in protecting that act itself, but protecting the individual.

COURT: To the point where you would not reveal something which you felt--

ROSENBERG: Well, I wasn't asked a particular thing like that and there was nothing for me to reveal. I wasn't aware of the trouble he was in.

Rosenberg was asked if and when he became aware of the theft of secrets from Los Alamos.

ROSENBERG: Well, I read about the Harry Gold case.

SAYPOL: You read about the Klaus Fuchs case, too?

ROSENBERG: That is correct.

SAYPOL: You knew that David Greenglass had been questioned in February by an agent of the FBI regarding the theft of uranium, didn't you?

ROSENBERG: That is correct.

SAYPOL: Where did you find that out?

ROSENBERG: David told me.

SAYPOL: And you still say that you had no suspicion, when the agents questioned you, regarding the nature of the arrest of David Greenglass?

ROSENBERG: That's right, because David Greenglass himself told me that he didn't steal the uranium after that interview, and I believed him....

SAYPOL: Did you, in the month of June, 1950, or in the month of May 1950, have any passport photographs taken of yourself?

ROSENBERG: I did not.

SAYPOL: Did you go to a photographer's shop at 99 Park Row and have any photographs taken of yourself?

ROSENBERG: I have been in many photographer's shops and had photos taken.

SAYPOL: Did you have any taken in May or June of 1950?

ROSENBERG: I don't recall. I might have had some photos taken.

SAYPOL: For what purpose might you have had those photographs taken?

ROSENBERG: Well, when I walk with the children, many times with my wife, we would step in; we would have--we would pass a man on the street with one of those box cameras and we would take some pictures. We would step into a place and take some pictures and the pictures we like, we keep.

COURT: He is not asking you that. He is asking you about these particular pictures in June 1950. What was the purpose of those pictures?

ROSENBERG: Just--if you take pictures, you just go in, take some pictures, snapshots.

SAYPOL: What did you tell the man when you asked him to take those pictures in May or June 1950?

ROSENBERG: I didn't tell the man anything.

SAYPOL: Are you sure of that?

ROSENBERG: I didn't tell the man anything.

SAYPOL: See if you can't recall. Try hard. May or June 1950, at 99 Park Row.

ROSENBERG: I don't recall telling the man anything.

SAYPOL: You mean you might have told him something, but you don't recall it now?

ROSENBERG: I don't recall my saying anything at this time.

SAYPOL: What don't you recall? Tell us that.

ROSENBERG: I don't know, sir.

SAYPOL: Do you remember telling the man at 99 Park Row that you had to go to France to settle an estate?

ROSENBERG: I didn't tell him anything of the sort. . . .

SAYPOL: At the time David was talking about going to Mexico, what kind of pictures did you take and how many?

ROSENBERG: I don't recall.

SAYPOL: When did you find out Sobell was in Mexico?

ROSENBERG: When did I find out?

SAYPOL: You heard my question, didn't you?

ROSENBERG: Yes.

SAYPOL: Was it a hard one?

ROSENBERG: I head that Sobell was in Mexico through the newspapers.

SAYPOL: What did you have to do with sending Sobell away?

ROSENBERG: Nothing.

KUNTZ: I object to that, if your Honor please. There is no testimony here that he had anything to do with sending Sobell or anybody else away.

COURT: You are excited, Mr. Kuntz.

KUNTZ: I mean, to ask a question that way, I can convict anybody by that kind of question.

COURT: The jury will please disregard that statement by Mr. Kuntz, supposedly in behalf of his own client.

Cross-examination by Kuntz, attorney for Sobell:

KUNTZ: Now, I want to know whether in July 1948 or any time from the beginning of the world to today did Sobell ever give you a can with any film in it?

ROSENBERG: No, he did not.

**II. ETHEL ROSENBERG**

A. BLOCH: Where are your children now?

ETHEL ROSENBERG: They are at a temporary shelter in the Bronx.

A. BLOCH: Have you seen them since you were arrested?

ETHEL ROSENBERG: No, I have not....

A. BLOCH: Did you do all the chores of a housewife?

ETHEL ROSENBERG: Yes, I did.

A. BLOCH: Cooking, washing, cleaning, darning, scrubbing?

ETHEL ROSENBERG: Yes, I did.

A. BLOCH: Did you hire any help throughout that period?

ETHEL ROSENBERG: On occasion for brief periods. I know that when I came from the hospital after the birth of the first child I had some help for the first month, and then upon the time that the second child arrived, I had help for about two months, and there was a period when I was ill and that started about November 1944, I had to have help, right up to about the spring of 1945.

A. BLOCH: Now, outside of these three periods you last mentioned, you did all the housework yourself?

ETHEL ROSENBERG: That is right.

A. BLOCH: Your laundry and everything?

ETHEL ROSENBERG: That is correct.

Rosenberg testified that their console which Greenglass claimed was specially equipped for espionage work actually was purchased at Macy's.

COURT: Were you with him when he purchased it?

ETHEL ROSENBERG: No, I was not.

A. BLOCH: Were you at home when it was delivered?

ETHEL ROSENBERG: Yes, I was.

A. BLOCH: And did you see who delivered it?

ETHEL ROSENBERG: Just the usual delivery person.

A. BLOCH: And can you recollect the year during which the table was acquired and sent to your home and received in your home?

ETHEL ROSENBERG: Well, it was somewhere between, somewhere either in 1944 or 1945.

COURT: Do you remember whether you signed for it when it came or did your husband sign for it?

ETHEL ROSENBERG: Oh, I think I signed for it when it came. It came during the day and I was home.

COURT: Did your husband do any other shopping by himself for furniture on any other occasion?

ETHEL ROSENBERG: He did buy something else. At the time I believe he bought a table.

COURT: At the same time?

ETHEL ROSENBERG: Yes.

COURT: Was another piece of furniture purchased then?

ETHEL ROSENBERG: I believe it was about the same time.

COURT: What was that piece?

ETHEL ROSENBERG: I am not sure.

A. BLOCH: If I should suggest a lamp, would that refresh your recollection?

ETHEL ROSENBERG: It might have been. I remember there was some other item, but I couldn't--

SAYPOL: Well, I object to the suggestion. He might as well suggest a refrigerator.

COURT: All right. We will take it as a suggestion and the jury will understand where it came from.

COURT Did you know that he was going to make that purchase when he did make it?

ETHEL ROSENBERG: Oh, yes, we had decided that we realIy needed a decent piece of furniture, at least a table, and so we did decide to make that expenditure.

COURT: As far as you know, how much was that expenditure?

ETHEL ROSENBERG: It was about $20 or $21. I remember that.

COURT: Was there any sale on at the time?

ETHEL ROSENBERG: Yes. He came home and told me he really made a good buy; that it was--

COURT: Did you know in advance? Was there something advertised in the paper? Was there a sale at Macy's?

ETHEL ROSENBERG: I couldn't say. I really couldn't recall at this time whether I had noticed a sale or not. We had just decided we needed a table and he stopped in to Macy's and found a buy....

A. BLOCH: Did you at any time type any matters that may be called information concerning anything relating to our national defense?

ETHEL ROSENBERG: No, I did not.

COURT: Did you know anything about the charges that had been leveled against your husband by the Government in '45?

ETHEL ROSENBERG: Oh, you mean the time that the Government dismissed him?

C0URT: Yes.

ETHEL ROSENBERG: Well, it was alleged that he was a member of the Communist Party.

COURT: And he was dismissed for that reason?

ETHEL ROSENBERG: I refuse to answer on the ground that this might be incriminating.

COURT: No, no, no. I say, the Government dismissed him for that reason? I am not asking you whether he was. I am asking you whether the Government gave that as a reason for his dismissal.

A. BLOCH: May I advise the witness to answer that question?

ETHEL ROSENBERG: Well, they gave that as a reason, that is right.

COURT: Now, you typed the reply for him; is that right?

ETHEL ROSENBERG: Yes.

COURT: And the reply which you typed denied that he was a Communist?

COURT: Now, you typed the reply for him; is that right?

ETHEL ROSENBERG: Yes.

COURT: And the reply which you typed denied that he was a Communist; is that correct?

ETHEL ROSENBERG: I refuse to answer on the ground that this might be self-incriminating.

A. BLOCH: I advise you to answer.

ETHEL ROSENBERG: Yes.

Rosenberg testified that she never attempted to persuade Ruth Greenglass to ask he husband is he would be willing to steal secrets from Los Alamos. Judge Kaufman interrupted with questions.

COURT: Did you know that your brother was working on the atomic bomb project?

ETHEL ROSENBERG: No.

COURT: When did you find out about that for the first time?

ETHEL ROSENBERG: Oh, when he came out of the Army.

COURT: You mean in 1946?

ETHEL ROSENBERG: Yes.

COURT: Did you know that he was working on a secret project while he was in the Army?

ETHEL ROSENBERG: Well, he told us that when he came in on furlough.

COURT: When?

ETHEL ROSENBERG: At my mother's house.

COURT: In January 1945 or in November 1944?

ETHEL ROSENBERG: I don't know the exact date of the furlough, but the first time.

A. BLOCH: May I ask you to keep your voice up, please?

ETHEL ROSENBERG: Yes, I am sorry....

COURT: Well, what were your own views about the subject matter of the United States having any weapon that Russia didn't have at that time? That is, in 1944 and I945?

A. BLOCH: May I respectfully object to your question?

COURT: Yes. Objection overruled.

A. BLOCH: As incompetent, irrelevant, and immaterial.

COURT: It is most relevant. It goes to the matter of the state of mind, and intention has to be established in this case.

A. BLOCH: I except.

ETHEL ROSENBERG: I don't recall having any views at all about it.

COURT: Your mind was a blank on the subject?

ETHEL ROSENBERG: Absolutely.

COURT: There was never any discussions about it at all?

ETHEL ROSENBERG: Not about that, not about the weapon.

COURT: Was there any discussion at all as to any advantages which the United States had to make warfare that the Russians didn't have?

ETHEL ROSENBERG: No, nothing of that sort.

COURT: You never heard any discussions that there should be some equalization between Russia and the United States?

ETHEL ROSENBERG: No, sir.

Bloch asked Ethel about the testimony of the Greenglasses concerning David's visit with the Rosenbergs while on his first forlough from Los Alamos. Ethel denied that any plan was discussed to pass information to Ann Sidorovich in a theater in Denver.

A. BLOCH: Do you recall whether on that occasion Ann Sidorovich was present in your home?

ETHEL ROSENBERG: She may or may not have been. I really don't recall that.

Bloch then repeated the Greenglasses' testimony about the Jell-O box. He quoted Greenglass's testimony as to how Julius had said:

A. BLOCH: "This half will be brought to you by another party and he will bear the greetings from me and you will know that I have sent him"; was there any such thing? Did you ever hear of any such thing as a Jell-O 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?

ETHEL ROSENBERG: Outside of this courtroom, I never heard of any such thing.

COURT: Incidentally, did you have any Jell-O boxes in your apartment?

ETHEL ROSENBERG: Oh, yes....

A. BLOCH: Now, your sister-in-law testified, in substance, that she had a miscarriage some time after she had been living with her husband in Albuquerque, and that she had written you a letter in which she informed you of the fact that she had had a miscarriage, and that thereupon she received a response from you in the shape of a letter, in writing, in which you said, in substance, that soon a relative will come to visit her, and insinuated that that was a sort of a signal, or that the word "relative" had some meaning, transmitting to her the idea that somebody was going to come to see her and receive information; did you ever write a letter containing a phrase that a relative would come to see her?

ETHEL ROSENBERG: No, I did not.

A. BLOCH: Did you ever make an arrangement with her, or did your husband in your presence, that if the phrase "relative" would be used in any letter, it would mean as an identifying mark, and that it would refer to somebody, an emissary of yours or your husband's coming over to get information?

ETHEL ROSENBERG: There was never any such talk.

A. BLOCH: Did you also communicate with your brother?

ETHEL ROSENBERG: Yes, I did.

A. BLOCH: Now, your brother Dave was the youngest in the family?

ETHEL ROSENBERG: That's right.

A. BLOCH: And you were six years older than he was; and what was the relationship between him and you throughout the period of your living together in the same household, until you married and after you married?

ETHEL ROSENBERG: Well, he was my baby brother.

A. BLOCH: Did you treat him as such?

ETHEL ROSENBERG: Yes, that is exactly how I treated him.

A. BLOCH: Did you love him?

ETHEL ROSENBERG: Yes, I loved him very much.

COURT: Did he sort of look up to you?

ETHEL ROSENBERG: Yes.

COURT: And your husband? Before the arguments that were discussed here in court?

ETHEL ROSENBERG: He liked us both. He liked my husband.

COURT: Sort of hero worship?

ETHEL ROSENBERG: Oh, by no stretch of the imagination could you say that was hero worship.

COURT: You heard him so testify, did you not?

ETHEL ROSENBERG: Yes, I did....

A. BLOCH Now can you give us an idea of what you wrote about when you did write to your brother and to your sister-in-law?

ETHEL ROSENBERG: Well, I wrote the usual "How are you? We are all right," and "Take care of yourself," and "This one had a baby," or "The other one got married," and things of that sort.

Ethel denied knowledge of Yakovlev, Bentley, Gold, and Fuchs beyond what she read in newspapers.

A. BLOCH: Did your husband at any time ever mention to you that he was engaged in any spying or espionage work or transmitting information received from various sources or from any source to the Russians?

ETHEL ROSENBERG: He wasn't doing any such thing. He couldn't possibly have mentioned it to me.

Bloch asked a series of questions designed to show that Ethel was too ill during the period of alleged espionage work to have played a very active role.

ETHEL ROSENBERG: Well, it so happens that I have had a spinal curvature since I was about thirteen and every once in a while that has given me some trouble, and at that time it began to kick up again. and occasionally I have to get into bed and nurse a severe backache. Through the bargain, I developed a case of low blood pressure, and that used to give me dizzy spells, sometimes to the point where I almost fainted. I also had very severe headaches, and it finally got so bad that I went to visit my doctor.

A. BLOCH: Who is your doctor?

ETHEL ROSENBERG: Doctor Max Lionel Hart of Rego Park, Long Island.

A. BLOCH: Is Dr. Hart one of the witnesses listed as a Government witness in this case?

ETHEL ROSENBERG: Yes, he is.

COURT: What is the point there? Why ask her that question? What is the relevancy of that?

A. BLOCH: Why not?

COURT: You mean to say that the Government has to call every witness listed on that?

A. BLOCH: I didn't say anything of the kind. I am just identifying the man. That is all.

COURT: All right. Go ahead.

A. BLOCH: And how long between that period, between the fall of 1944 and the middle of 1945, were you under Dr. Hart's care, professional care?

ETHEL ROSENBERG: Well, I used to go for iron injections once or twice a week at least once a week, and very often twice a week regularly.

A. BLOCH: And that was during the period in which they claim you participated in this espionage plan?

ETHEL ROSENBERG: Well, that was the period between the fall of 1944 and the spring of I945--

COURT: But you saw your brother, didn't you, when he came in on his furlough in January 1945?

ETHEL ROSENBERG: Yes, I did.

Ethel added her son's infirmity to her own as an indication that her troubles precluded activities on an espionage front.

A. BLOCH: And what was the condition of your child's health?

ETHEL ROSENBERG: The condition of my child was very poor. I had had a very difficult time ever since his birth, I mean, with him. He was given to severe colds and sore throat with high fever. It wasn't the usual thing of where a baby gets sick occasionally. It was practically every week in and week out. By the time he was a year and a half old, that winter was extremely severe.

Ethel continued to deny playing any criminal role in espionage activities. She specifically denied typing up Greenglass's notes from Los Alamos. Questions turned to the table in their home allegedly used for processing microfilm.

A. BLOCH: Your sister-in-law testified that on a certain occasion in 1946, or at least she thought it was in 1946--that is page 10I3 -your sister-in-law visited you at your home and that she noticed a piece of furniture and that that piece of furniture was a mahogany console table; and that she had a conversation with the Rosenbergs-that means you and your husband-concerning the table; that she said that she admired the table and she asked you "when she bought a new piece of furniture," and that "she said she had not bought it, she had gotten it as a gift"; that she said "it was a very nice gift to get from a friend," and that "Julius said it was from his friend and it was a special kind of table," and thereupon your husband, Julius, "turned the table on its side to show us why it was so special"; did any such thing ever occur.

ETHEL ROSENBERG: No, it did not.

A. BLOCH: She further testified that "there was a portion of the table that was hollowed out for a lamp to fit underneath it so that the table could be used for photograph purposes," and that your husband said that "when he used the table he darkened the room so that there would be no other light and he wouldn't be obvious to anyone looking in"; did you hear any such conversation, at any time, either in I946 or 1947, or at any other period?

ETHEL ROSENBERG: I never heard any such conversation.

A. BLOCH Did your husband ever use any table, console table or any other table, for photograph purposes?

ETHEL ROSENBERG: No, he did not.

A. BLOCH: Did your husband ever photograph on microfilm or any other substance anything pertaining to any information or secret concerning the national defense, or anything else at all?

ETHEL ROSENBERG No, he did not.

Ethel was asked whether Julius ever discussed with her the demand for money made by Greenglass, which was alleged in Julius's testimony.

ETHEL ROSENBERG: Well, the first time he said that Davey had demanded $2,000 from him and had seemed pretty upset, and that when my husband told him that he had no such amount of money, he couldn't raise any such money for him, he said, "Well, could you at least do me another favor? Could you at least find out if your doctor will give me a vaccination certificate?"

COURT: Did he add why he wanted that vaccination certificate?

ETHEL ROSENBERG: No, I don't recall my husband telling me anything of any reason for it. Except that Dave said that he was in a jam, he was in some trouble.

A. BLOCH: Were you worried about it?

ETHEL ROSENBERG: Yes, I was.

COURT: Well, forget whether you were worried about it; what did you do about it?

ETHEL ROSENBERG: Well, I said to my husband, "Well, doesn't he know the kind of financial situation we are in? Didn't you tell him you can't give him money like that?" And then I remember saying something to the effect that "If Ruthie doesn't stop nagging him for money, she is liable to give him another psychological heart attack like he had in the winter."

Ethel testified that Julius told her about another conversation with David Greenglass.

ETHEL ROSENBERG: Well, this time my husband told me that Davey really must be in some very serious trouble, that he was extremely nervous and agitated and that he began to talk wildly, threatened that he would be sorry if he didn't--my husband said that David threatened him, that he, my husband, would be sorry if that money wasn't forthcoming.

A. BLOCH: What did you say or do about it?

ETHEL ROSENBERG: Well, I told my husband that I thought I should call the house and find out if everything is all right, and my husband said, "Well, the only thing is, Dave may be working, he may not even be home and I have no way of knowing just how much of this Ruthie knows about," and she has really had her hands full between her burns and having given birth to a child, and perhaps it would be wiser if he took it upon himself to see him at the earliest opportunity he could....

A. BLOCH: Did you at any time either on that occasion or any other occasion, either in words or in substance ask her to get an assurance from Dave that he was not going to talk, that he was going to claim he was going to be innocent, or that he was innocent and that if he does that, everybody will be okay and satisfied?

ETHEL ROSENBERG: No, I never said any such thing....

A. BLOCH: That is all as far as I am concerned.

E. H. BLOCH Did I ever advise you to go to see Ruthie Greenglass and tell Ruthie Greenglass to tell her husband to keep his mouth shut?

COURT: What has that got to do with it? There has been no accusation hurled at you.

E. H. BLOCH: But Ruthie Greenglass testified that Ethel Rosenberg said her lawyer sent her down.

COURT: All right, go ahead.

ETHEL ROSENBERG: No, you never told me to do any such thing.

E. H. BLOCH: Well, what did I tell you to do with respect to the Greenglass family?

ETHEL ROSENBERG: You told me to stay away from them.

E. H. BLOCH: Did I tell you I believed that they were your enemies?

ETHEL ROSENBERG: Yes, you told me that.

E. H. BLOCH: That is all.

Cross-examination

Saypol asked about the console that the Greenglass's suggested was a gift from the Russians.

SAYPOL: Did you ever tell any one that that table was a present?

ETHEL ROSENBERG: No, I never did.

SAYPOL: You are sure of that?

ETHEL ROSENBERG: I am sure of that, yes....

Saypol asked about film developing equipment found by the FBI in the Rosenberg home.

SAYPOL: Did your husband ever do his own developing and printing at home?

ETHEL ROSENBERG: He never did. He made one attempt in 1950 to develop some films and he did such a poor job of it that he decided that that kind of a hobby wasn't for him.

SAYPOL: Is that the first time he ever tried to develop some film?

ETHEL ROSENBERG: That's right; first time.

SAYPOL: What kind of material, what kind of equipment did he have and did he use in connection with his attempt to try to develop some films?

ETHEL ROSENBERG: I don't think I could even describe it or name the stuff. It was just some developing developer, whatever you call it.

SAYPOL: Did he have trays?

ETHEL ROSENBERG: What did you say?

SAYPOL: Did he have trays, enamel trays, that he used for developing and printing photographs?

ETHEL ROSENBERG: Not that I can recall.

SAYPOL: Did he have chemicals?

ETHEL ROSENBERG: I think he had some kind of chemical.

SAYPOL: Did he have what is known as a daylight developing tank?

ETHEL ROSENBERG: I never even heard of those words until you just said them.

SAYPOL: Don't you know that when he was arrested, the agents of the Federal Bureau of Investigation took away from your home some photographic equipment, including a developing tank and some trays? A. BLOCH: I will object to it upon the ground it is assuming something that has not been proven. It may not be proven, and it is in the record.

COURT: Overruled.

A. BLOCH: Exception.

ETHEL ROSENBERG: Well, as I told you, I know there was some kind of developer around, but I wouldn't know what you call these things....

COURT: Well now, you remember the month of May very well, don't you?

ETHEL ROSENBERG: Yes.

COURT: You remember the month of June 1950 very well?

ETHEL ROSENBERG: Yes.

COURT: You remember all the incidents that have occurred?

ETHEL ROSENBERG: Yes.

COURT: Did you have any pictures taken for any purpose whatsoever in May or June1950?

ETHEL ROSENBERG: We may have; we may have.

COURT: Do you remember where?

ETHEL ROSENBERG: No, all I remember was some commercial photographer.

COURT: How did you happen to go to that particular commercial photographer?

ETHEL ROSENBERG: Well, I didn't say I went to any particular commercial photographer.

COURT: Well, you just remembered posing before a camera?

ETHEL ROSENBERG: Yes.

COURT: How did you happen to get before that camera?

ETHEL ROSENBERG: Well, my older boy happens to be very much interested in machines of any kind.

SAYPOL: Is that the eight-year-old boy?

ETHEL ROSENBERG: That's right. He is very precocious.

SAYPOL: So you took him in to play with the photographer, is that the idea?

COURT: Just a moment.

E. H. BLOCH: I submit that the witness--

SAYPOL: Well--

COURT: Mr. Saypol, will you wait until I am through?

E. H. BLOCH: I move that Mr. Saypol's remarks be stricken from the record.

COURT: They will be stricken. I asked you how did you happen to get to that particular photographer? Who recommended that particular photographer?

ETHEL ROSENBERG: Nobody ever recommended any particular commercial photographer to us.

COURT: How did you happen to go to that particular one?

ETHEL ROSENBERG: We, as I tried to explain, my older child was interested in machines, among other things. We, it was our wont to go for walks with them and to stop and look at anything of interest, anything that might be of interest to the children, and very often, as we took these walks, the older child particularly would ask, "Oh, come, let's go in here and get our pictures taken." That is--I think kids generally do that kind of thing.

COURT: How many times would you say he had done that?

ETHEL ROSENBERG: Oh, several times. We happen to be what you would call "snapshot hounds" and that bunch of pictures that you saw there doesn't nearly represent all the snapshots and all the photos that we have had made of ourselves and the children all through our lives.

COURT: Then you remember, you say, having had some photographs taken in May or in June?

ETHEL ROSENBERG: It may have been that time. I am really not sure. There were so many frequent occasions when we dropped into these places.

COURT: I am talking about the very last ones that you had taken.

ETHEL ROSENBERG: Well, I can't say what I don't recall and I really don't recall specifically.

SAYPOL: Well, we have it now at least that the photographer, the commercial photographer, was within walking distance of your home at 10 Monroe Street; is that right?

ETHEL ROSENBERG: Well, there were times we took walks and took photographs elsewhere.

SAYPOL: We are now talking about the time that you last remember, within the two years, when you went with your family to a commercial photographer to have a picture taken or pictures?

ETHEL ROSENBERG: But I didn't say that we took a walk this particular time to this particular place.

SAYPOL: Where was it?

ETHEL ROSENBERG: I wouldn't know.

COURT: Is this a convenient place to recess for lunch, Mr. Saypol?

SAYPOL: All right.

COURT: We will recess until 2:20.

Saypol asked Ethel whether she helped her brother David Greenglass join the Communist Party.

SAYPOL: Did you help him join the Communist Party?

ETHEL ROSENBERG: I refuse to answer.

SAYPOL: She knows the answer.

BLOCH: She is a better lawyer than I am, no doubt.

SAYPOL: Go ahead.

ETHEL ROSENBERG: I am going to refuse to answer on the ground of self-incrimination.

SAYPOL: Now that your lawyer has interrupted, do you so refuse?

ETHEL ROSENBERG: That is right.

Ethel testified that she asked Ruth Greenglass how David was "standing up in jail."

SAYPOL: You mean, was, he talking about you and your husband? Is that what you meant when you asked that?

ETHEL ROSENBERG: Of course not.

SAYPOL: Did you talk at that time about the possibility that perhaps Davey was going to implicate you in this?

ETHEL ROSENBERG: Well, we did recall that the FBI had mentioned, had spoken to my husband in terms of my brother having implicated us, but frankly we didn't believe them.

At the grand jury she was asked whether she had "discussed this case with your brother David Greenglass." She refused to answer, claiming privilege. Saypol asked about her privilege claim.

ETHEL ROSENBERG: It was true, because my brother David was under arrest.

SAYPOL: How would that incriminate you, if you are innocent?

ETHEL ROSENBERG: As long as I had any idea that there might be me chance for me to be incriminated I had the right to use that privilege....

COURT: Now let me ask a question. If you had answered at that time that you had spoken to David, for reasons best known to you, you felt that that would incriminate you?

ETHEL ROSENBERG: Well, if I used the privilege of self-incrimination at that time, I must have felt that perhaps there might be something that might incriminate me in answering.

SAYPOL: As a matter of fact, at that time you didn't know how much the FBI knew about you and so you weren't taking any chances; isn't that it?

ETHEL ROSENBERG: I was using--I didn't know what the FBI knew or didn't know.

SAYPOL: Of course you didn't, so you weren't taking any chance in implicating yourself or your husband?

E. H. BLOCH Wait a second. I object to this entire line of questions . . .

Bloch moved for a mistrial.

COURT: I think it is proper cross-examination. Your motion for a mistrial is denied. Your objection is overruled....

ETHEL ROSENBERG: Well, if I answered that I didn't want to answer the question on the grounds that it might incriminate me, I must have had a reason to think that it might incriminate me.

SAYPOL: Well, that reason was based on the advice that your lawyer had given you, was it not?

ETHEL ROSENBERG: My lawyer had advised me of my rights.

SAYPOL: He advised you only on the basis of what you told him?

ETHEL ROSENBERG: He advised me as to my rights, but he also advised me it was entirely up to me to decide, on the basis of what the question was, whether or not I thought any answer might incriminate me, and I so used that right.

SAYPOL: You weren't making those answers because of a concern that you had about incriminating your brother, were you?

ETHEL ROSENBERG: I can't recall right now what my reasons were at that time for using that right. I said before and I say again, if I used that right, then I must have had some reason or other. I cannot recall right now what that reason might or might not have been, depending on the different questions I was asked....

COURT: I think we have had enough of this subject, Mr. Saypol, and for this particular purpose, and the purpose for which it is limited, I don't see anything would be added by constant questioning and more assertion of the privilege. So I am going to ask you to go on to another topic....

SAYPOL: I have had enough questions.

**Part III. Verdict**

COURT: Bring the jury in.

CLERK: Will the jurors please answer as their names are called? (Juror's names called by the clerk.)

CLERK: Mr. Foreman, have you agreed upon a verdict?

FOREMAN: Yes, your Honor, we have.

CLERK: How say you?

FOREMAN: We, the jury, find Julius Rosenberg guilty as charged. We, the jury, find Ethel Rosenberg guilty as charged. We, the jury, find Morton Sobell guilty as charged.

CLERK: Members of the jury, listen to your verdict as it stands recorded. You say you find the defendant Julius Rosenberg guilty, Ethel Rosenberg guilty, and Morton Sobell guilty and so say you all?

JURORS: Yes.

E. H. BLOCH: If he Court please, I ask that the jury be polled as to each defendant.

COURT: Very well.

CLERK: Member of the jury, listen to your verdict as it stands recorded as to Julius Rosenberg. You say you find Julius Rosenberg guilty--

FOREMAN: Yes.

COURT: Ask each one as to each defendant. Do you find Julius Rosenberg, Ethel Rosenberg and Morton Sobell guilty, Mr. Lebonitte?

FOREMAN: Yes, your Honor.

The clerk polled the jury and each of the jurors confirmed the announced verdict.

CLERK: The jury has been polled.

E. H. BLOCH: If the Court please, I would like to ask leave to make any motions with respect to the jury verdict--

COURT: On the day of sentence.

COURT: My opinion is that your verdict is a correct verdict, and what I was particularly pleased about was the time which you took to deliberate in this case. I must say that as an individual I cannot be happy because it is a sad day for America. tthe thought that citizens of our country would lend themselves to the destruction of their own country by the most destructive weapon known to man is so shocking that I can't find words to describe this loathsome offense.

PROSECUTOR: The conviction of the defendants in a criminal case is no occasion for exultation. It has been said that the Government never loses a case--because if there is a conviction the guilty are punished, and if there is an acquittal, the presumption of innocence must permanently prevail. The conviction of these defendants, however, is an occasion for sober reflection. That you the jury so considered it is evidence from the fact that you deliberated for six and a half hours last night, and the nature of your requests as to the evidence and the identity of the witnesses amongst other things demonstrates that you complied throughout with the instructions of the learned Court; and that your conclusion is a mature, a reflected one. . . . The jury's verdict is a ringing answer of our democratic society to those who would destroy it. First, because a full, fair, open and complete trial--in sound American tradition--was given to a group of people who represented perhaps the sharpest secret eyes of our enemies. They were given every opportunity to present every defense and I would fight at all times for their right to defend themselves freely and vigorously. Secondly, your verdict is a warning that our democratic society, while maintaining its freedom, can nevertheless fight back against treasonable activities....

BLOCH: I want to extend my appreciation to the Court for its courtesies, and again I repeat I want to extend my appreciation for the courtesies extended to me by Mr. Saypol and the members of his staff, as well as the members of the FBI, and I would like to say to the jury that a lawyer does not always win a case; all that a lawyer expects is a jury to decide a case on the evidence with mature deliberation. I feel satisfied by reason of the length of time that you took for your deliberations, as well as the questions asked during the course of your deliberations that you examined very carefully the evidence and came to a certain conclusion.

COURT: Thank you.