

Information Is Made Available

Some New Light on the

By David Gezman
Newsday

Mr. Lane: . . . We feel that . . . the only thing that will break this man Rosenberg is the prospect of a death penalty or getting the chair plus that if we can convict his wife, too, and give her a stiff sentence of 25 to 30 years, that combination may serve to make him disgorge and give us the information on these other individuals . . .

The Chairman: In other words, what you are saying is that you think what you want to do is have Greenglass divulge some now-secret information on the chance that the death penalty would then result to Rosenberg.

Mr. Lane: Yes . . .

Mr. Dean: Mr. Lane feels that if you don't prove in this case that he transmitted something very vital as of 1945, as distinguished from simply the population fig-

ures of Los Alamos and the names of some scientists there, you certainly couldn't impose a death penalty on the man.

New York

The above dialogue took place on Feb. 8, 1951, about a month before the trial of Julius and Ethel Rosenberg which resulted in their conviction and execution on espionage charges.

It appears in the transcript of a meeting that day of the Joint Congressional Committee on Atomic Energy, with representatives of the Atomic Energy Commission, the Justice Department and the U.S. attorney's office in New York, which was scheduled to prosecute the case.

The transcript, along with other new materials in the Rosenberg case, have been made available to Newsday.

They were obtained under the Freedom of Information Act by Emily Alman, chairman of the sociology department at Douglass College in New Brunswick, N.J.

Together they provide the first documentary evidence of an apparent agreement among high government and law enforcement officials to manipulate the testimony against the Rosenbergs in the interest of making "a big case" — as one participant put it — and securing a death sentence.

Such manipulation has been alleged in books, television programs and scores of magazine articles published during the 22 years since the Rosenbergs died in the electric chair.

A fresh campaign to clear their names began last week with the publication of a book by their sons, Michael and Robert Meeropol, who were reared by adoptive parents.

Mrs. Alman, who was once a neighbor of the Rosenbergs but never met them, was preparing a study on the aftermath of the case when she obtained the new materials. They include, among other items, excerpts from a diary kept at the time by Gordon Dean, the late chairman of the Atomic Energy Commission, who is the "Mr. Dean" in the transcript of the congressional committee meeting.

"Mr. Lane," is Myles J.

Lane, one of the prosecutors, now a justice of the Appellate Division in New York. "The Chairman" was the late Senator Brien McMahon (Dem-Conn.), chairman of the committee.

"Greenglass" was David Greenglass, the prosecution's chief witness and a brother of Ethel Rosenberg.

In the transcript and some of the other documents, the government appears preoc-

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cupied with securing a death sentence against Julius, as if the verdict itself were a foregone conclusion. (Lane concedes that the case against Ethel is "not too strong" but says it is "very important" that she be convicted as well.)

An entry in Dean's diary suggests that even "the judge" — presumably Irving

Kaufman, who tried the case and is now chief judge of the U.S. Court of Appeals in the Second Circuit — was brought into the plan.

Summarizing a phone conversation with the late Assistant Attorney General James B. McInerney a day before the congressional committee meeting, Dean wrote: ". . . McInerney said

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there is no indication at this point and doesn't think there will be until we get a death sentence. He talked to the judge and he is prepared to impose it if the evidence warrants." (Dean was apparently inquiring about the possibility of Rosenberg's naming of other members of the atomic spy ring he was said to have masterminded.)