

Morton Sobell Free As Spy Term Ends

By EDWARD RANZAL

Morton Sobell, sentenced to 30 years for a wartime espionage conspiracy to deliver vital national secrets to the Soviet Union, was released from prison yesterday after serving 17 years and 9 months.

Sobell, a co-defendant with Julius and Ethel Rosenberg, executed atom spies, would have been eligible for release in 7½ months with time off for good behavior. In ordering his release yesterday, the United States Court of Appeals here gave him credit for 7½ months he had been held in jail in lieu of \$100,000 bail from his arrest until he was sentenced on April 5, 1951.

The Government made no move to stay the release order, and the office of United States

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LAUGHTER AND TEARS: Mrs. Morton Sobell, right, and Sobell's mother, Rose, reacted to the news of Sobell's release yesterday from the Federal Penitentiary at Lewisburg, Pa. Sobell served 17½ years of a 30-year sentence for passing U.S. atomic secrets to Russia.

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Attorney Robert M. Morgenthau said the matter was in the hands of the Federal Bureau of Prisons in Washington.

Authorities at the Federal Penitentiary in Lewisburg, Pa., reported that Sobell left Lewisburg by bus at 3 P.M. for New York.

At her home at 30 Charlton Street, Sobell's wife, Helen, said for more than 15 years Mrs. she was "ecstatic."

Sobell, a science teacher at the Elizabeth Irwin School, a private high school at 40 Charlton Street, has spearheaded movements to free her husband, charging that evidence against him had been manufactured and that a Government witness was psychotic.

Despite some public clamor and several books favorable to the Rosenbergs, the Federal Courts up to the Supreme Court have steadfastly affirmed the guilt of the conspirators.

Depicted as Recruiter

Sobell, now 51 years old, was all but the forgotten man in the Rosenberg case. Trial evidence linked the Rosenbergs directly with the plot to steal atom secrets. Sobell was depicted as a member of the espionage conspiracy who recruited other members and passed on other national secrets to Julius Rosenberg.

From the time Federal Judge Irving R. Kaufman sentenced the Rosenbergs to be executed at Sing Sing until they were put to death on June 19, 1953 there was a clamor and protest throughout the world. Government officials attributed the uproar to the Communist party.

Little was heard of Sobell, the innocuous, pudgy engineer, until after the Rosenberg execution. Then the Committee to Free Morton Sobell was formed and money was raised for eight unsuccessful appeals on the merits.

The spy case developed after

Klaus Fuchs, a scientist who worked on the atom bomb at the Manhattan Project, was arrested by British intelligence agents. He was convicted of turning over scientific Allied secrets to the Soviets.

Fuchs talked and the trail led to this country and Harry Gold, a Philadelphia biochemist. At the Rosenberg trial, Gold testified that he met Ethel's brother, David Greenglass, in Albuquerque, N. M., in June, 1945.

Greenglass was a machinist assigned to the Manhattan Project at Los Alamos, N. M. He said he had been recruited into the espionage group by Julius Rosenberg, who gave him half a Jell-o box. Gold showed up with the other half of the Jell-o box and said: "I come from Julius."

Greenglass said he then turned over to Gold his sketches of the basic implosion principle of the atom bomb. This was the sensational part of the trial.

Sobell was linked to the espionage conspiracy by two pieces of evidence—testimony of a close friend and proof of Sobell's flight to Mexico to avoid arrest.

The witness was Max Elitcher, also an engineer. He and Sobell were classmates in high school and at City College here. Rosenberg also was graduated from City College as an engineer.

After obtaining engineering degrees, both Sobell and Elitcher got jobs in 1939 with the Navy Bureau of Ordnance in Washington. In 1943 Sobell took a job with General Electric in Schenectady. It was while with G. E. that Sobell allegedly turned over to Rosenberg secret fire-control designs for weapons.

Elitcher testified that Sobell recruited him into the Communist party. He said that both Sobell and Rosenberg asked him to obtain classified information and that when he was about to leave the Navy De-

partment both men implored him to stay.

He said that he took a midnight auto ride with the two men on which Sobell gave Rosenberg 35-mm film and that Sobell allegedly said, "This is very important." He also testified that Rosenberg told him that Sobell had turned over a number of important classified documents.

Returned by Mexico

Shortly before the Federal Bureau of Investigation closed in and arrested Rosenberg in June, 1950, Sobell shut his house in Flushing, Queens, and went with his family to Mexico.

The Government charged that this was flight to avoid arrest and that Sobell had intended to go behind the Iron Curtain. Sobell contended that it was a business trip.

On Aug. 18, 1950, Sobell was escorted across the border and arrested in Laredo, Tex.

In his various appeals Sobell contended that Elitcher was a psychopathic liar who had gone over to the Government side to save his own neck. In addition, there were charges that there was perjured testimony at the trial and that some of the evidence was manufactured. This was rejected by the courts at every turn.

Greenglass pleaded guilty in the conspiracy and was sentenced to a 15-year term, which he has satisfied. Elitcher was not named in the indictment.

The three judges who concurred in yesterday's decision were Paul R. Hays, Leonard P. Moore and Henry J. Friendly.

Judge Hays said that in 1960, on the basis of a Congressional amendment, the Bureau of Pri-