

SOBELL'S LAWYER GETS SECRET DATA

Will Try to Prove Spy-Trial
Evidence Was Worthless

By EDWARD RANZAL

A cross-section sketch of the original atom bomb that has been impounded since the 1951 Rosenberg spy trial will be made available to counsel for Morton Sobell, who is serving 30 years for conspiracy to commit wartime espionage.

The Government agreed yesterday in Federal Court to turn over the sketch, as well as the secret testimony of two of its trial witnesses concerning the A-bomb. The sketch was drawn by David Greenglass, a confessed spy.

William A. Kunstler, Sobell's lawyer, told the court that examination of the secret matter was necessary for preparation of a motion to set aside Sobell's conviction. He will contend that the Government fabricated and intentionally used false testimony to convict Sobell and his co-defendants, Ethel and Julius Rosenberg, who were executed for their part in the espionage conspiracy.

Mr. Kunstler hopes to show that the impounded sketch was amateurish and worthless. During the trial the Government introduced experts who testified that the sketch and other information that was passed on to the Soviet Union had advanced Russian thinking about the atom bomb by 20 years.

Assistant United States Attorney John S. Martin Jr. said outside of court that before agreeing to release the secret evidence, the Government had cleared it with the Atomic Energy Commission.

Mr. Kunstler agreed not to make the impounded matter public. Later he explained that he would ask three or four noted atomic scientists and physicists to evaluate the sketch. He said he hoped that Dr. Harold Urey, Nobel prize scientist who worked on the original bomb at Los Alamos, Nev., would be one of the group.

Dr. Urey has voiced serious doubts in the past about the guilt of the Rosenbergs and Sobell.

Gold's Cooperation Sought

In addition Mr. Kunstler said he hoped that Harry Gold, another member of the espionage conspiracy, would talk with him. Gold, who was sentenced to 30 years in prison, will be paroled on May 18.

Greenglass, Mrs. Rosenberg's brother, pleaded guilty before the Rosenberg trial to complicity in the plot to furnish the Soviet Union with the newly discovered atomic secrets. He was the Government's principal witness against the Rosenbergs and Sobell.

Greenglass was released from prison on March 16, 1960, after serving nine and a half years of a 15-year term for conspiracy. He received time off for good behavior. At the time of his release he said he would try to live with as much privacy as possible, and he has not figured in news reports since then.

While under direct examination by Roy M. Cohn, then as assistant United States attorney, Greenglass's sketch of the bomb was offered into evidence.

Strangely, Rosenberg's lawyer, the late Emanuel Bloch, moved to have the sketch and Greenglass's testimony relating to it kept secret. The Government agreed, though Mr. Cohn's original intention had been to make it public through the court records.

The testimony of John A. Derry, an electrical engineer who was then an aide of Gen. Leslie Groves, head of the Manhattan Project to develop the bomb, was also impounded. Mr. Derry's testimony will also be made available to Mr. Kunstler.

Other sketches drawn by Greenglass while he was a machinist assigned by the Army to Los Alamos have been made public and have been scored by those fighting to clear Sobell and the Rosenbergs as "crude."

Sobell, now 49 years old, has been in prison 16 years. His wife, Mrs. Helen Sobell, has carried on a campaign since his conviction to clear his name. Over the years innumerable lawyers have entered the case. They have tried about six or seven times, unsuccessfully, to have the case reopened.