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U.S. Supreme Court, William O. Douglas, made in the case of the Rosenberg's. And I'm going to touch briefly on that case. As everybody knows, they were convicted of giving atomic bomb secrets to the Russians. They were convicted under the Espionage Act. They were supposed to be a part of a conspiracy that ran from 1946 up into the fifties. Well, during the time that this conspiracy was going on, Congress decided to mitigate the punishment. Under the Espionage Act, a person convicted had to get the death penalty. Congress thought that was unduly harsh. So they enacted what was called the Atomic Energy Act. And in that provi...in that law there was a provision that anybody convicted under the act could not receive the death penalty, unless it was recommended by the jury. In the case of the Rosenberg's, there was no recommendation by the jury. And that new law was in effect at the time they were convicted, in 1952. They were sentenced to death. Their lawyer did not raise the issue that under the law in effect at that time would not have allowed the death penalty to be imposed because the jury had not recommended it. There was such a furor in the country about Communism that the original lawyer did not raise the issue. When a person is seeking or entitled to a writ of habeas corpus, you're under the sentence of death. I'm not going to go into the technicalities of that writ, because it would take too much time and is not necessary for the point I'm trying to make. The courts allow a next...a friend to file such a writ on behalf of a person who may not have access to the court. So another lawyer intervened on behalf of the Rosenberg's and filed in their behalf. Justice Douglas read that filing and granted a stay, because this was a key issue that ought to have been raised and, had it been raised, they could not have been sentenced to death under the law. The Supreme Court, as one person pointed out,...

PRESIDENT MAURSTAD PRESIDING

PRESIDENT MAURSTAD: One minute.

SENATOR CHAMBERS: ...reads the election returns. The Supreme Court justices also are aware of political ferment in the country. So rather than allow this case to be sent back for reconsideration by the appellate court to see if the proper sentence had been handed down, by a six to three vote the U.S.