

"C O P Y"

"NEW EVIDENCE ENTERS HISS CASE

"By NORM GELMAN
Silver and Gold Editor

"The government's perjury case against Alger Hiss rested, to a large degree, on the mute testimony of an old Woodstock typewriter. The prosecution alleged that this machine had been used in the typing of certain secret documents allegedly passed on by Hiss to Whittaker Chambers, confessed Communist courier.

"Now Hiss' lawyer, Chester Lane, has filed an affidavit demanding a new trial for his client on the basis of evidence which--if true--would go far towards destroying the validity of the government's case.

"During his trial, Hiss desperately protested that he was the victim of forgery by typewriter. Government experts, however, declared that it was impossible to duplicate a typewriter. But Lawyer Lane tells how he did the impossible. Working from samples of typing done on the trial machine, a typewriter craftsman has built an exact duplicate of the crucial Woodstock. Supporting affidavits from two documents experts confirm the accomplishment. One of the experts goes on to say that the duplication makes 'absolutely worthless' testimony given in the trial by the government's document expert.

"This startling feat of engineering is only the most spectacular of a long list of damaging (to the government case) evidence dredged up by Lane. It merely indicates that forgery could have been done; it does not prove that it was done.

"But Lane has also come suggestively close to proving that the forgery was more than just possible. In independent investigation without the aid of legal compulsion, Lane nearly established that Woodstock No. 230,099, the trial machine, could not have been manufactured earlier than the first week of July, 1929, and that the style of type used on the machine which helped convict Hiss was abandoned by Woodstock several months before July, 1929. Proof of these facts would, of course, immediately establish that the typewriter used in the trial was not a regular Woodstock machine, but a fabrication.

"In another investigative tack, Lane attempted to establish the date when Hiss' father-in-law obtained the Woodstock which Hiss later owned. Preliminary evidence seemed to indicate that this machine already was in actual use in Philadelphia on the date when No. 230,099 was manufactured in Woodstock, Ill.

"Lane comes close to proving both these lines of attack. In both, however, he was stymied. In ~~one case~~ ^{on Kesseloff 25149} the FBI had taken the

74-1333-5249

"sales records of the dealer who sold the machine. In the other, Lane's informants suddenly refused to say any more when he was almost at the point of proving what he had set out to prove.

"As Lane swears in his affidavit: 'We search for records--the FBI has them. We ask questions--the FBI will not let people talk to us.' Lane says that the FBI kept his investigations under close watch. And more important, he told how the FBI had been searching for and may have found another Woodstock typewriter, perhaps the real Hiss machine.

"Add to these suggestions, sworn statements contradicting the testimony of Edith Murray who claimed to have been Chambers' maid. Miss Murray was the only person other than Chambers and his wife who 'saw' the Hiss and Chambers families together despite Chambers' testimony to their close friendship. Two persons swear that the Chambers could not have had a colored maid at the times claimed.

"Add all of these facts and sworn statements together and there emerges an impressive mass of startling material that not only bolsters the Hiss end of the Hiss-Chambers duel but also intrudes the fascinating and explosive possibility that the FBI may have had a part in a conspiracy to withhold vital evidence.

"Lane, of course, has not established all that he has suggested. But he has made it plain that he is galloping on the track and that he needs legal force to help him. He needs power from federal courts to compel the release of information he is seeking.

"As Fred Rodell says in the article in The Progressive for April 1952, from which this summary is taken, 'If Hiss was convicted, even in part, on fabricated evidence, a fraud was perpetrated not just on Hiss but on the court as well.' And a fraud on the federal courts, is a fraud on the American people."