

# Publishing: Hiss Petition Is Coming Out as a Book

By HERBERT MITGANG

**M**ORE than ever, books are taking off from news events — and often making news themselves. Here are some cases in point:

"In Re Alger Hiss," with an introduction by Thomas I. Emerson, professor of law at Yale University, will be published in April by Hill and Wang/Farrar, Straus & Giroux. It is a rare example of an actual petition to the courts coming out as a book, and it is, in fact, a facsimile of the pages that the judge received last summer in the United States District Court for the Southern District of New York.

"To my knowledge," says Arthur Wang, the book's publisher, "such a petition has never before appeared in this form from a trade house while a matter is before the courts. We are bringing it out in cloth and paper. It sheds new light on the Hiss case and the era of McCarthyism."

"The petition, which asks that Mr. Hiss's 1950 conviction on charges of perjury be set aside, is based on some 60,000 pages of documents only recently released under the Freedom of Information Act by the F.B.I., C.I.A. and other Federal agencies. We believe that it is a readable document that will interest law professors, political scientists, historians and the general public. It is a self-contained argument that does not say that Hiss was guilty or innocent but, rather, that there were violations of his constitutional rights."

Edited by Edith Tiger, director of the National Emergency Civil Liberties Foundation, "In Re Alger Hiss" includes a number of exhibits obtained under the Freedom of Information Act. The petition, which makes up the bulk of the book, was written by Victor Rabinowitz of Rabinowitz, Boudin & Standard. The foundation plans to distribute 10,000 copies in the paperback edition to scholars.

In his introduction, Professor Emerson says: "While the petition for a writ of error *coram nobis* in the Hiss case represents the essence of lawyerism, it is not written in technical legal language. It makes good reading for lay persons as well as lawyers. And the exhibits give a fascinating insight into the workings of the F.B.I. The Hiss case is part and parcel of our society, and it is to be hoped that this latest document in the matter will be widely read."

Next month, the United States Attorney's office for the Southern District of New York is expected to respond to the petition — and place the Hiss case, which has been debated for 30 years, on the front pages again.