

Hiss Seeks to Discredit 'Pumpkin Papers'

By MICHAEL T. KAUFMAN

Alger Hiss announced yesterday that he was suing the Federal Government to obtain documents and film that he believes will discredit the "pumpkin papers" as forgeries and clear him of his 25-year-old perjury conviction.

At a news conference held to announce the filing of the suit in Federal Court here, the tall, spare, 70-year-old former State Department official said that material recently obtained by students of the Hiss case from the Federal Bureau of Investigation suggested new doubts about the Government's case against him.

A document described as an F.B.I. memo, disclosed at the news conference, suggested that the key typewriter introduced in evidence at the trial might not have been the one that had been in the Hiss home, the typewriter that the Government alleged had been used by Mrs. Hiss to transcribe secret documents.

Smiling at the reporters, most of whom were young, Mr. Hiss said that many of them probably had no memories of his trial, and that for their benefit he would summarize the case.

Denies Giving Papers

"In 1948, a man named Whittaker Chambers swore that he had been a Communist spy, and that I, a State Department official, had given him Government papers in 1938," Mr. Hiss said. "I never gave him secret papers. But largely because a young Congressman named Nixon said he believed Chambers, I was convicted of perjury when I denied the charges and went to jail for 44 months.

"In December of 1948, Chambers dramatically produced five rolls of microfilm one night from a hollowed-out pumpkin. Two of these rolls were photos of State Department documents he said I had given him. I have never seen the other three rolls, and I'm suing to get them today."

It was these microfilm rolls, along with documents in the case, that came to be known as "the pumpkin papers."

Controversy Over Film

In addition, Mr. Hiss is also suing for a number of documents, all under the newly amended Freedom of Information Act.

Three political scientists, long active in research on the Hiss case, have filed additional suits for some of the 53,000 pages of documents in the case, and they joined Mr. Hiss at the conference held at the offices of the National Emergency Civil Liberties Foundation at 30 East 42d Street. The foundation is representing Mr. Hiss.

Mr. Chambers, a former editor of Time magazine, allegedly

stored the "pumpkin papers" on his farm.

One of the three, William A. Reuben, said that the films being sought were now in the possession of the United States Attorney for the Southern District of New York. Hiss said that there had long been controversy about the age of the films.

Mr. Chambers testified that he exposed the film in 1938, yet at one point before the trial a spokesman for Eastman Kodak said that the film in question had not been manufactured until 10 years later. The spokesman then corrected himself, saying that the film could have been made earlier.

Stephen W. Salant, a Washington economist, said at the news conference that the suit he was bringing specifically sought documents bearing on what he said was "the F.B.I.'s apparent failure to pursue Kodak's offer to perform a chemical analysis that would definitively date the films."

But it was the issue of the typewriter that dominated the news conference.

It is the contention of Mr. Hiss and his associates that there may have been two typewriters—the first, the old Hiss machine that the family gave away, and a second machine used to type the documents.

Fabrication Suggested

Mr. Hiss suggested that the two were switched to fabricate the case against him, and that when his defense forces found what they thought was the original machine, they actually found the second typewriter, which had been left for them to find.

Dr. Peter H. Irons, a 34-year-old political scientist at the University of Massachusetts whose specialty is the origins

of the cold war, and who is also suing for papers related to the Hiss case, disclosed at the news conference what he said was an F.B.I. memorandum written before the trial concerning the search for the old Hiss typewriter, originally purchased in Philadelphia by Mr. Hiss's father-in-law.

The memorandum said, "In view of the fact that the salesman who sold the new Woodstock typewriter to the Fansler-Martin partnership [Mr. Hiss's father-in-law's firm] resigned on Dec. 3, 1927, it would appear, therefore, that the serial number of the typewriter sold to Fansler-Martin would be less than 177,000."

In fact, the typewriter introduced at the trial, one that expert witnesses testified had been used to write the documents Mr. Chambers produced, had the serial number 230,099. This, according to records obtained by the F.B.I. from the manufacturer, would mean that it had not been made until late in 1929, two years after it was ostensibly purchased.

Defense Found Typewriter

During the trial, it was Mr. Hiss's defense that ultimately found the typewriter. It had been given away several times after the Hisses presented it to a servant.

"We did not consider it could have been a fake," Mr. Hiss said yesterday. "By introducing it, we vouched for it."

He said that in recent years there had been some evidence that Federal agents had found the typewriter before the defense had, borrowed it for three days and returned what Mr. Hiss now believes to be another machine.

Mr. Hiss said that in the first edition of "My Six Crises,"

former President Richard M. Nixon wrote that during his investigation he had obtained the typewriter as well as "the pumpkin papers." In later editions, the reference to the typewriter was removed, and Mr. Nixon said that the error had been that of a researcher.

But, Mr. Hiss said, in the Watergate tapes Mr. Nixon was quoted as telling John W. Dean 3d, his counsel, "We got the typewriter; we got the pumpkin papers." Mr. Hiss indicated that coupled with the F.B.I. document, such comments suggested that "the typewriter was left for us to find."

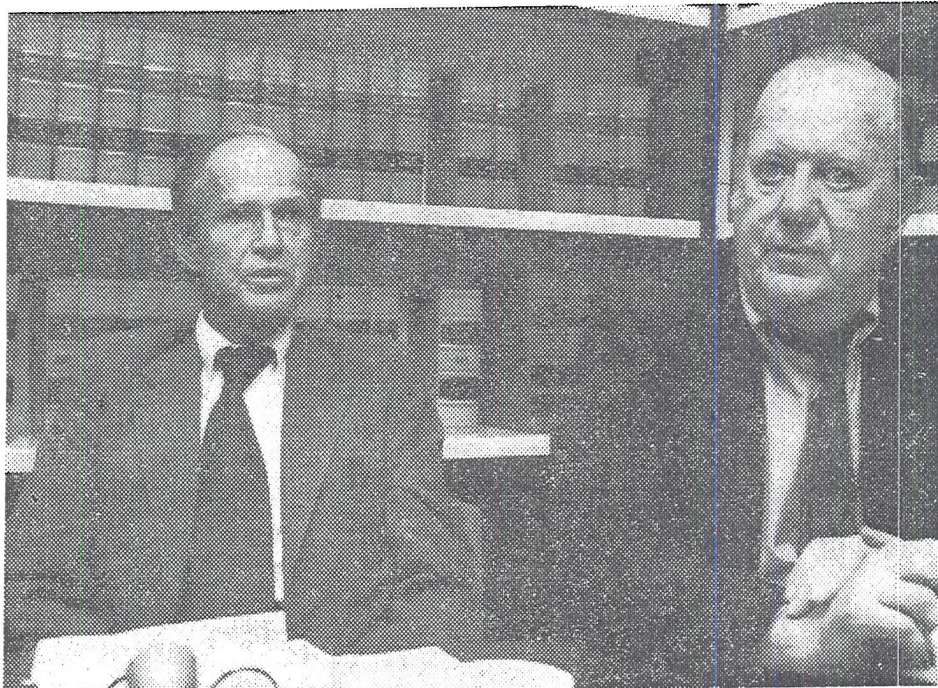
Mr. Hiss's lawyer, Randy Walster, said that legal strategy was still emerging. In answer to a question, she said that she could not preclude the taking of depositions from Mr. Nixon, who first came to national attention as the member of the House Committee on Un-American Activities who developed the Hiss case.

Action Is Explained

Mr. Hiss, who was twice denied appeal from his conviction by the courts, said that he was bringing his action now because he had standing to do so under the amendments to the Freedom of Information Act that became law in January.

"The old act," he said, "was limited to scholars, and not someone whom I'd have to characterize as a disgruntled litigant."

Mr. Hiss, disbarred as a lawyer and now working as a printing salesman, said that it was his understanding of the law that to obtain a review of his case, indication or material fraud would have to be produced. He left little doubt that this was what was being sought.



The New York Times/Meyer Liebowitz

Alger Hiss, left, and William A. Reuben, a historian, during news conference yesterday at the offices of the National Emergency Civil Liberties Foundation, 30 East 42d Street.