

THE PROTHONOTARY WARBLER

You think that we have governmental problems today? We concern ourselves with what is a crisis. Who will remain as an advisor, who will be fired? Has our great country really been shut down over the building of a wall?

In stark contrast, as I approached my teen years, we dealt with Pearl Harbor, war with the Japanese, war with Germany, an aggressive Russia and a President, Franklin Roosevelt, stepping up for an unbelievable fourth term. He died so Harry S. Truman became President.

Most of those things had reasonably settled down as I climbed aboard the train at Cincinnati Union Terminal bound for my freshman year at Georgetown University. It was September of 1947.

There were two famous men in Washington at that time, antagonists, ultimately crashing into one another. Both of them were very successful and both well known. Was one courageous, the other a coward, one truthful the other a liar? I will give you descriptions of the two men but will only give you their names as the story unfolds.

The first man was PHI Beta Kappa at John's Hopkins University. He went to Harvard Law School where he became the best friend of Felix Frankfurter the future Supreme Court Justice. After graduation he held the most

prestigious clerkship in the nation with Judge Oliver Wendell Homes, later the Chief Justice.

He then lawyered at prestigious law firms in New York eventually obtaining a position at the Justice Department. He moved rapidly upwards through numerous positions of increased responsibility. In 1936 he worked for Cordell Hull the Secretary of State, the person with the longest tenure ever, in that office.

In 1944 he was named Director of the Office of Special Political Affairs. He then became Executive Secretary for the very important Dumbarton Oaks conference in August and September of 1944. Four nations participated, the United States, the United Kingdom, Russia and China. More formally it was named The Washington Conference on International Peace and Security. Its goal was to plan and create a post war peaceful society.

This now successful diplomat with influence and power was invited to and did attend the Yalta Conference in February of 1945. The giants of the era were intensely planning the future of the world, Franklin Roosevelt, Winston Churchill, and Joseph Stalin. The stated purpose was to shape a post war peace. The conference took place in the Crimea, on Russian soil. Subsequent events revealed Russia's real purpose. Control over East Berlin and east Germany and all adjoining countries .

The Potsdam Conference followed with Truman taking Roosevelt's place and Clement Atlee taking Churchill's place.

This man continued his special career. He became President of the Carnegie Endowment for Universal Peace.

One has to wonder and to be deeply concerned about the final results of the Soviet Union controlling all of its satellite communist countries, particularly because the person whose life and influence I have just outlined was in fact a communist and a spy undertaking espionage. He was convicted and given a five year prison sentence.

I will not mention names until I describe the second protagonist, also a very successful person. He attended Williams College then Columbia University where he was Editor in Chief of the Columbia Literary magazine. He went to work for Time magazine in 1939 where he remained until 1948.

Almost immediately his talent catapulted him into quick success. He was put in charge of cover stories for Time, including the story about James Joyce and his latest book *Finnegan's Wake*. In 1942 he became a Senior Editor. Henry Luce the owner of Time and Life caused the promotion. Luce complimented him as being among the very best or perhaps the best, high praise indeed.

He subsequently received the Presidential Medal of Honor from President Ronald Reagan. He was a Pulitzer Prize winner for a book that he authored. His farm in Maryland, Pipe Creek Farm, was made a national monument in 1988.

This man admitted in 1948 that he had been a Communist Russian spy in the 1930's and 40's.

Who were these two communist men striding through our country influencing major international decisions.

Their names— Alger Hiss and Whitaker Chambers.

Their fierce combat took place within the circulating spotlight of Senator Joseph McCarthy the most visible public face when cold war tensions fueled the fear of Communist subversion.

The House Un-American Activities Committee became a standing committee in 1945 focusing its investigation on real and suspected communists in positions of actual or supposed influence.

The Committee summoned Whitaker Chambers for testimony on August 3, 1948. He was granted immunity, otherwise he would have simply taken the "5th" as so many other witnesses had done. He named Alger Hiss only as a communist and not as a Russian spy or as a person involved in espionage

for a foreign government. Hess adamantly denied the charges and sued Chambers for Libel requesting \$75,000 in damages, a huge sum at that time.

Chambers in response upped the anti stating that Hiss was in fact not only an active communist but also a spy involved in espionage and treason. Hiss denied all of the allegations stating that his life and his reputation pointed otherwise, citing his participation at Dunbarton Oaks and Yalta.

“Prove it “ he said “I do not even know this man Whitaker Chambers.”

Chambers, not deficient in talent nor in intelligence was well prepared to prove the guilt of his adversary when Richard Nixon entered the picture as a member of the House Un-American Activities Committee.

Chambers, an expert publicist, knew exactly how to create a public sensation. His contrive melodrama commenced by taking Nixon to his farm where in a pumpkin patch they found incriminating microfilms and other evidence showing that Hiss had been communicating with Russia, was a saboteur and obviously guilty.

It appeared to Nixon that the Pumpkin Papers had been in their hiding place for years and years. In fact Chambers had placed them in the pumpkin the day before to create this discovery drama.

Hiss countered, all of this is bunk. These papers are not mine. I had nothing to do with them. Chambers is lying in stating that I gave him these papers. He has perjured himself.

The due diligence of the Committee, with the bird dog approach of Richard Nixon, produced a typewriter whose key strokes exactly matched the typewriter key strokes on the Pumpkin Papers. It was a Woodstock typewriter #N230099. This typewriter had been owned by Alger Hiss at the time the incriminating papers had been produced. He again denied timely ownership stating that he had previously given the typewriter away.

An impressive array of character witnesses testified on behalf of Hiss including two Supreme Court Justices, Felix Frankfurter and Henry Reed and then, surprisingly Adlai Stephenson.

At the first trial the jury failed to reach the necessary unanimous verdict, 8 for conviction 4 against. It was a perjury trial, not espionage, because the Statute of Limitations had run on the more serious charges.

What caused the conviction at the second trial as Hess repeated his first trial testimony that he did not know Chambers? Chambers and the prosecutor needed to prove that Hess did actually know Chambers. They had never been seen together nor was there any correspondence between them. Then, Chambers and Nixon found a possible solution. Enter now the

very rare, seldom seen, beautiful, multicolored Prothonotory Warbler, with its memorable head, bright yellow and orange.

Chambers told the prosecutor that Hiss had personally told him he was an amateur ornithologist and proud of his rare sighting of this spectacular bird, the Prothonotory Warbler. The trap was set pending the testimony of Hiss. If Hiss, in his testimony verified the sighting it would be substantial proof that he did in fact know Chambers. How else would Chambers have that information unless told by Hiss. Thus, they did know one another.

The jury at the second trial because of the Prothonotory Warbler involvement believed the two men did actually know each other, therefore Hiss was the liar, thus the five year sentence.

Substantial inconclusive research continues to this day. Russia has disclosed that Hiss was in fact their spy. Other Russian sources have taken the opposite point of view. Which man was courageous, which a coward, who was truthful and who the liar? What influence did either man have on the eventual European, United States, Russian controversies? Will we ever know with certitude? Probably not unless you ask the Prothonotory Warbler whose melodious song may sing the truth, or may not.

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