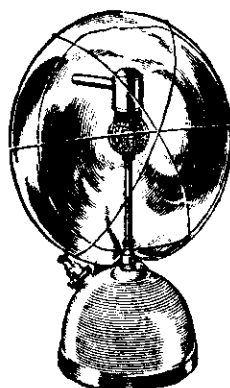


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Books

A VERDICT EXAMINED

THE STRANGE CASE OF ALGER HISS, by the Earl Jowitt, Hodder and Stoughton, English price, 20 s.

(Reviewed by E.C.)

MAY it please Your Honours: Members of the Jury.—At the bar of this, the Court of Public Opinion, your reviewer craves leave to mention the case of Mr. Alger Hiss. Your Honours will recall the circumstances. In 1948, before a House Committee of the United States Congress, Mr. Whittaker Chambers, a person of three or four aliases, accused Hiss of having had communistic associations. Next, Hiss sued Chambers for damages for libel. Thirdly, Hiss was indicted for perjury in denying, in that suit, that he had given secret documents to Chambers, and had conversed with him in 1938; at the trial the jury disagreed. An application for change of venue having failed he was tried a second time, found guilty, and sentenced to five years' imprisonment. Finally, his appeal to a higher court was unsuccessful.

A dispassionate book of comment on the second trial is now available. The commentator's credentials inspire confidence. Mr. William Jowitt commenced his legal career at the English bar in 1909. He became a successful advocate. In 1923 he entered Parliament as a Labour member, became Attorney-General in the Labour Government, and was knighted. In 1945 he became Lord Chancellor, and a peer, discharging judicial functions as well as those of a Cabinet Minister. In 1951 he ceased to be Lord Chancellor, but continues to belong to the highest courts, the Privy Council and House of Lords.

His method also inspires confidence. He takes five volumes of recorded oral evidence and five volumes of documentary exhibits, and condenses them into a medium-sized book. Some of the evidence he finds to be inadmissible under English rules, and much of it of slight probative value. He permits himself to introduce what could not be evidence at the trial, Chambers's subsequently-published autobiography, which gives a rather nasty picture of what United States writers, with a quaint disregard of Latin America and British America, are given to calling "the American way of life"; justified, perhaps, by the fact, extraordinary to our notions, that much time at the trial was given to expert medical evidence on the question of whether Chambers's mentality warranted credit to be given to his evidence.

The book covers more than a particular case; it is also a discussion about which form of criminal procedure, the one common to British countries, the other that of the United States, is the better calculated to prevent miscarriages of justice. The crucial differences between them are brought out; and the noble and learned author, deferential and diffident though his comments and criticisms are, leaves no doubt about his own opinion. He uses exquisite skill to avoid exposing himself or his publishers to an action for defamation; but gives cogent reasons, based on law and on credibility, why the oral evidence for the prosecution should not be relied on without adequate corroboration, and indicates where he thinks the corroboration offered was weak.

Most of the book is as absorbing as a detective story; but the ending is not



ALGER HISS (top) and WHITTAKER CHAMBERS

so satisfactory; where the fictioneer's blue riddle shows us incontrovertibly who is for the killing-pen and who is exculpated, the legal author leaves us with nothing but uneasy questionings.

ROMANTICISM

THE TRUE VOICE OF FEELING: Studies in English Romantic Poetry, by Herbert Read; Faber and Faber, English price, 25 s.

THE studies in this book are intended to build a case for the supremacy of romanticism in modern poetry. Sir Herbert Read identifies romanticism with "organic form," and by this he seems to mean form which comes from poetic integrity. If a poet is "sincere," his work belongs to art, which is seen—in Schelling's definition—as "the active bond between the soul and nature, between essence and existence."

The year 1798—when Wordsworth and Coleridge published *Lyrical Ballads*—is taken as the beginning of the modern movement. Much great poetry had, of course, been written before then. Sir Herbert is therefore obliged to admit that "in so far as the poetry of the past is sincere, to that extent it is organic in form." At this point one begins to feel doubtful. Sincerity and value are not necessarily found together. And although it may be true that there has always been unity of feeling and expression in the best poetry, it is equally true that a poet can use a conventional pattern without loss of integrity. Even in "rhetorical" poetry, which places the emphasis more on form

N.Z. LISTENER, JULY 31, 1953,