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TWENTY CENTS

Gonzo Journalist Speaks, Decorum Goes Up In Smoke

By Madison King

When journalist-author Dr. Hunter S. Thompson climbed behind the bank of media microphones last Thursday to address the largest Law School Forum audience of the year, it was evident from the outset that it was not to be an evening of moderation or discretion.

Sprawled out on the floor in front of the Working Press, depressed, repressed, uptight, lowdown law students sipped whiskey from paper cups while other assorted species of seething rabble perched precariously atop bookcases and climbed in through windows, opened in a vain attempt to clear away thick clouds of acrid smoke which hung over the capacity crowd that jammed in the Ames Courtroom for a peek at the precursor of "gonzo journalism."

Casually clad in a tan-suede shirt jack, blue polyester slacks, white low-cut Converse All Stars, a matching white duffer's cap and dark glasses, The Gonz looked like a psychedelic parody of former President Jerry Ford fielding questions at a press conference as he dispensed with his prepared remarks and exchanged quips, barbs and one-liners with the

unusually boisterous and enthusiastic crowd.

Q. If Vegas is the heart of the monster, what's it like to be in the brain?

A. Seems the same to me.

Clutching a bottle of Heineken in one hand and a joint in the other, The Gonz attempted to read a memorandum prepared by Random House Publishing Company's attorneys advising the author of things which could be libelous — a story about a demented journalist is libelous, if he can be identified, and statements like "Hubert Humphrey campaigns like a rat in heat" can be libelous — but when unilat-

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"Legal Ethics," After the Fight

By Terry Keeney

Students registering for courses this week have discovered for the second straight year that the required Law School curriculum does not end with the last exam in the first year. Thanks to a faculty vote two years ago, the course in professional responsibility is a requirement for all students, beginning with current 2L's.

Although the future of the course is still uncertain, it appears certain that the *Professional Responsibility* requirement is here to stay.

The Law School currently re-

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Ruth Abrams: Justice On The Supreme Court

By Bob Ruxin

She grew up in Massachusetts, graduated from Radcliffe ('53) and HLS ('56), joined her family law firm in Boston, served as an assistant district attorney in Middlesex County, moved to the Attorney General's office and then to the Superior Court bench.

Judge Ruth I. Abrams, the first woman justice on the Massachusetts Supreme Judicial Court, insists she would be content to remain in the state for the rest of her life. "I feel very lucky that I've had the best of it," Abrams said Monday. She talks about repaying her debt to the state.

But Abrams, who reportedly was on President Ford's list of women qualified for the Supreme Court, concedes that she wouldn't turn down a nomination to the High Court.

"Surmise, conjecture, supposition are not part of a trial judge's, trial lawyer's, or appellate judge's life," she says flatly.

As to whether the next nominee to the Supreme Court should be a woman, Abrams says, "That's a presidential concern. People should not be selected on any particular basis."

Sitting in her chambers in a black swivel chair behind an oversized desk which abuts two smaller desks, Abrams reflected

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Dredging the Depths of *Hickman v. Taylor*

By Paul Coady

(Ed. Note: This is the second of a series of occasional articles exploring the facts behind the cases that made legal history. The first article, appearing last fall, delved into the machinations leading up to the Supreme Court's decision Erie Railroad v. Tompkins. This week's installment examines another frequently cited decision, the facts of which are largely hidden from view. The case of Hickman v. Taylor held that absent a showing of exceptional need, materials prepared by or for counsel in anticipation of litigation may not be discovered by opposing counsel. The Hickman litigation pitted two Philadelphia law firms against each other. Abraham E. Freedman of Freedman, Landy & Lorry represented the appellee Hickman. Samuel B. Fortenbaugh, Jr., '26, of Shield, Clark, Brown & McCown (now Clark, Ladner, Fortenbaugh & Young) represented the appellant, John M. Taylor and the Taylor and Anderson Towing and Lighterage Company. Both Freedman and Fortenbaugh argued their case before the Supreme Court, and they both still work at their respective law offices.)

War stories abound among veteran trial lawyers. When it comes to swapping tall tales about their glory days and how they championed their clients' causes, few lawyers can quite match Sam Fortenbaugh. For the story is told that in the name of representing his clients' interests, Fortenbaugh chose to be held in criminal contempt and sentenced to the Philadelphia County Prison rather than surrender documents within his files. But there is a subtle touch of irony to the saga: his clients

were meted out the identical punishment; they too were sentenced to jail.

The story surrounding Fortenbaugh's defense of a wrongful death action brought against one of his clients might rightfully be added to the legal literati's classics list. Faced with a discovery request from opposing counsel which he felt would infringe too closely upon his professional activities, Fortenbaugh stood by principle. He steadfastly resisted producing documents drawn up in the course of preparing for trial, regardless of personal consequences. His immutable convictions were later vindicated by a unanimous vote of the Supreme Court. It both held for his clients and announced its celebrated "work product doctrine."

The Supreme Court's view of what constitutes work product material has remained intact to this day. Nonetheless, there is an element of fiction to the time-worn story of the events leading up to the widely-respected decision. Neither Fortenbaugh nor his clients ever came close to a jail cell; they were never so much as fingerprinted.

In a recent interview, Fortenbaugh termed the 1943 contempt order, which made possible the Supreme Court's review of the case, "a deal" between the judge, opposing counsel Abraham E. Freedman, and himself. "We were a pretty clubby group here in Philadelphia, the Admiralty bar," Fortenbaugh remarked. "Kirkpatrick, Abe Freedman, Sam Fortenbaugh, we all belonged to the same club. There were no harsh words, no condemnation, no anything."

Fortenbaugh was quick to add, however, that there was little espe-

cially devious about their legal maneuvering. They merely sought the entry of a final order so that Kirkpatrick's decision compelling Fortenbaugh to hand over materials within his file could be immediately reviewed by the circuit court of appeals. "We all simply sat down and agreed that we wanted to review it, including the judge," Fortenbaugh reminisced. "So, I was cited for contempt and sentenced to jail until I absolved myself. That was the legal necessity in order to obtain review. . . . Nothing more than that. Nobody ever went farther than the courtroom of Judge Kirkpatrick."

It was the sinking of a tugboat and the resultant deaths of some of her crew members which sparked the *Hickman v. Taylor* controversy. Abe Freedman, who represented the parents of one of the drowned seamen on a contingent fee basis, disclaimed any responsibility for seeing his opposing counsel held in contempt. Almost forty years after the fact, Freedman observed, "I didn't want him to go to prison. . . . It wasn't my idea. But he wanted to make it a final order so that it would be appealable. So he went through all the motions as if he were actually committed."

To this very day, Freedman fiercely defends his attempts to recover the information within Sam Fortenbaugh's possession — the very materials which the Supreme Court later held to be attorney work product. "I always fight hard," Freedman laconically stated. But while the Supreme Court openly disapproved of his efforts to secure the statements of witnesses "otherwise freely available," Freedman justified his actions on pragmatic grounds. "When a group of people work for an employer," Freedman declared, "they are generally closed-mouthed. I could have taken their oral examinations, but I could not have gotten out of them what their em-

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HARVARD LAW RECORD

Happy Trails to You

By Bruce Howard

(Editor's note: This is the last Page Three. Of course, next fall, when the RECORD resumes publication, there will continue to be a page between two and four, but it won't be edited and chiefly correspondented by Bruce Howard, and it probably won't be called, capital P, capital T, Page Three.)

As for Howard, he quit. Retired. On the back of his resignation candy gram he wrote "Goodbye. I'm quitting. I'm retiring to my modest flat at 11 Everett St. where I will be content to live out the rest of my years gracefully, reflecting on my long, full life of letters, courting an under-aged, over-hormoned sophomore at Simmons, watching Masterpiece Theatre, and occasionally writing small, elegant essays for the New Yorker about my Guernsey calf. Cheers."

Later we found this note in his cubby hole.)

My fellow editors, my fellow law students, my fellow current and former members of the Harvard Law School community, and alumni with egos the size of the Argo Merchant. This is my final goodbye. My farewell. My *au revoir*. My toodle-oo. My *hasta luego*. My happy trails to you. My last column. You get the idea.

In recent weeks I have thought long and hard about the excesses of my infantile work. I have considered and been moved by the claims of critics that I have been tasteless and sexist and out of line. I realize now that I did attack maliciously and viciously some of the most dignified and established, up-standing and productive members of this fine law school community. Without heart or restraint I maligned and assassinated. No insult was too lowly to engage my ink. No slander too reckless, no diatribe too demented.

As I reflected, I could think of

only one explanation for my behavior. I realize now that what moved me to so burlesque and humiliate these people, these bastions of distinction and accomplishment, these superstars of legaldom, was honesty. Simply, I said horrible things about these people — Dean Sacks, Susan Estrich, Louis Brandeis, Duncan Kennedy — because they deserved it. These people are truly horrible people. They are sick. These people are not normal. They do unspeakable things at night when they go home. Their secretaries and colleagues have told me stories about

that women are inferior. Now don't misunderstand me; not inferior to *everything*. Women have most mammals beat by a mile. But as far as men are concerned, women are inferior. Hey, listen, this is biology I'm talking. Facts. Science. Statistics prove men have smaller breasts than most women, and nobody but nobody thinks breasts do anything for your work ability besides make it hard to type without your glasses. Hey, I'm sorry. Hate me. Write petitions. But it's true. This is fact, take it or leave it. It's not my fault.

So what's the point? The point is that everyone, including 99% of the reputable scientists around, knows women are generally sex maniacs and men are generally not interested in sex. Hey, look at the studies! I'm not making this up. Masters and

Duncan Kennedy is a virgin.

them that would make your hair friz. In short, every vicious libel and abuse I served up was only the tip of the iceberg. These people whom I implied were inferior are, in fact, truly inferior. Inferior beyond your wildest imagination. Dean Sacks, for example, dated Hart's incredibly ugly sister for three years just so that the master would put Sacks' name on that textbook. You wouldn't believe what I know about these deadbeats but didn't report. Duncan Kennedy is a virgin. Philip Areeda faked that broken leg last year just to get excused from Ames moot court judging duties. Paul Bator has no royal blood in his family. I'm not kidding. The biggies at this school are the worst collection of charlatans and grease balls this side of Southside Johnny and the Asbury Jukes.

But what about sexism, you say. What about my sex, sex, sex/Susan Estrich column? Surely that was unwarranted. Well, let's get it together and hunker down with the facts for a minute. The fact of the matter is, and I don't think there's any question in anyone's mind outside of a few Joan of Arc freaks,

Johnson. Kinsey. Hite. Call it sexist but you know it's true. Affirmative action, day care centers, ERA, insured abortions — they don't take anything away from the fact that every woman since Eve just walks around all day looking for someone to talk dirty with. Studies show men, on the other hand, are generally bored with sex. They prefer spectator sports. College basketball, Curt Gowdy, Norton-Bobick. They are industrious, clean and responsible. They like to work on Ames briefs. They admire Louis Loss because he has done so much for this country.

So what follows? This follows — given a choice between hiring a man or a woman, a law firm would be nuts to hire a woman. At least you can trust a man to roll up his sleeves and get to work and not just sit around all day imagining the boss in a tank suit. Hey, I'm sorry. Hate me! Petition! But these are the facts. This is biology.

And the same goes for everything else I wrote. I've got the facts to back it up. Every bit of it, and much, much more.

Searching For Problems, Not Practice

By Bill Ross

David L. Shapiro has all the classic qualifications of a Harvard Law professor: a degree summa cum laude from the Law School, a Supreme Court clerkship, and experience with a prestigious Washington firm. And, according to his students, he has one additional qualification: he is a fine teacher.

"I like to teach," Shapiro said in an interview recently. "I left private practice in 1963 to come to Harvard because I found myself more interested in problems than practice and I wanted to pursue my own ideas. Working with students was also attractive to me." Shapiro noted that he resigned in December as associate dean partly in order to have more time to devote to teaching and writing.

"I prefer teaching and writing to administrating," Shapiro said. "But I enjoyed certain aspects of my work as a dean." He noted that he helped to bring about changes in the Legal Methods program and changes in the first-year curriculum to permit 1L's to take electives in the spring.

Shapiro generally wins praise for his teaching abilities from 1L's in his *Civil Procedure* and *Federal Litigation* classes. They especially commend his ability to elucidate complex technical points.

Shapiro, aged 44, graduated from Harvard College, and in 1957 graduated from the Law School, where he served as Note Editor of the *Law Review*. After five years with the Washington firm of Covington and Burling, he clerked for the late Justice John Harlan of the U.S. Supreme Court. Shapiro has edited a book about Harlan's service on the Court.

"The book presents in a systematic way his important opinions, papers and speeches," Shapiro said. "I indicated that it is an oversimplification to describe him as a conservative, as

he has so often been described. He was in many ways an innovator. He respected precedent, but he often displayed insight and imagination. He certainly was a great craftsman."

In addition to editing the work on Harlan, Shapiro has published several major articles in leading law reviews. Most recently, Shapiro published an article in the December *Harvard Law Review* declaring that Justice William Rehnquist allows his personal political ideology to influence his Court opinions. Shapiro said that Rehnquist's biases frequently cause him to ignore precedent and resolve conflicts between individuals



Prof. David L. Shapiro.

and federal authorities in favor of the government, regardless of the merits of the case.

Shapiro studied all of Rehnquist's 164 signed opinions and his votes in more than 1200 cases since taking the bench in January 1972. Rehnquist has refused to comment publicly on Shapiro's article.

Shapiro has also worked on the American Law Institute's revision of the *Restatement of Judgments*. "The first *Restatement of Judgments* had a very substantial impact when it came out in the early 1940's," Shapiro said. "I have found that most court decisions that deal with the issue of *res judicata* depend

heavily on it. In the late 1960's, the A.L.I. decided it was time to prepare a second *Restatement*. Working on a *Restatement* is a very elaborate process to which many persons contribute so the work is still continuing." Shapiro and Benjamin Kaplan, formerly of the Law School, held key positions as reporters until they resigned, Shapiro for health reasons and Kaplan to take a position on the Supreme Judicial Court of Massachusetts. Their work is being continued by Geoffrey Hazard of Yale.

Shapiro noted that he was forced to curtail many of his activities — from A.L.I. projects to golf and squash — in 1973 when he was stricken with spasmodic torticollis, a neck disease. The affliction, which Shapiro described as "a severe and relentless movement of the neck" was much ameliorated by an operation in 1975. "My condition has now stabilized," Shapiro said. He noted that he has resumed many of his activities but still isn't able to do everything that he could do prior to 1973.

In addition to his work on the *Restatement of Judgments*, Shapiro also has contributed to an A.L.I. project that proposed substantial revisions in the federal code governing the division of jurisdiction between state and federal courts. Shapiro worked on the diversity questions, formulating a proposal to make diversity claims available only to out-of-staters. "If the purpose of diversity jurisdiction is to protect persons out-of-state from bias by a state court, it doesn't make sense to allow someone in the state to invoke it," Shapiro said. He noted that the proposal would have the effect of cutting diversity actions by 50 per cent. Congress is currently studying the A.L.I. proposal.

Shapiro also has served on

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Ethics: Structure or Knuckling Under?

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quires all students to take a professional responsibility course for two credits or the *Introduction to Advocacy* course, which includes a segment on professional responsibility. New course regulations will remove the latter option and make a Professional Responsibility course a prerequisite to Advocacy in 1978-79.

The faculty appears divided about the best way for the Law School to meet the American Bar Association guideline to teach professional ethics. Prof. Gary G. Bellow, who teaches professional responsibility in the Advocacy course, voted against requiring the course. Today he believes that training in legal ethics is important, especially when taught in a coherent sequence of courses such as Advocacy.

Bellow voted against requiring the course because he believed the faculty was moving too far too fast in requiring a course which no one knew much about. He also opposed the tendency of the Law School to allow students to take a random variety of courses.

"Legal education is too much of a smorgasbord," said Bellow. "In general I like the faculty to require clusters of courses to make sense of an educational sequence that students can't make sense of."

Prof. Alan M. Dershowitz takes a position almost 180 degrees opposite Bellow. Dershowitz generally opposes requiring any courses and accuses Harvard of "knuckling under" to the American Bar Association.

"I think it requires incredible arrogance for the American Bar Association to make the guidelines that law schools teach professional responsibility," said Dershowitz. He noted the hypocrisy of the ABA in requiring law school instruction in ethics while remaining silent on charges that major law firms practice discrimination in hir-

ing on grounds of race, sex, religion and national origin.

"I don't think Harvard Law School should take orders from the American Bar Association," Dershowitz said.

Both Dershowitz and Bellow admitted that ABA efforts to increase instruction in legal ethics may have been in response to Watergate. But Andrew L. Kaufman argues that Watergate was only one factor in the move to require a professional responsibility course at Harvard.

"Watergate was a dramatic demonstration of some lawyers' lack of sensitivity to these problems," Kaufman said. If Watergate accomplished anything, it made lawyers think more about ethics, according to Kaufman.

Kaufman, whose casebook *Problems in Professional Responsibility* is one of the few in the field, strongly favors the requirement.

"This is the one course that exposes students in any structured way to problems that lawyers face as lawyers and the profession faces as a profession. It seems to me that Harvard Law School has some obligation to expose students to the problems," he said.

Theoretically, the Law School has always taught all students legal ethics through the so-called "pervasive theory," which assumed ethics to be taught in all subjects. In order to meet requirements of some state bar associations, such as Ohio and Indiana, the dean would certify that the students had been taught ethics by the pervasive method.

In 1960 then-professor Robert Braucher, now an associate justice of the Massachusetts Supreme Judicial Court, offered a course in legal ethics. Similar courses were later taught by Prof. Vern Countryman and Kaufman, who along with Braucher are all commercial law professors.

Harvard is one of the few national law schools to require a formal course in professional respon-

sibility. At Yale, Columbia, Michigan, and Stanford, no courses are required in professional responsibility, although some schools noted an increase in the number of students taking the course to fulfill state bar requirements.

Carolyn Wood, Assistant Dean at Columbia, credited recent political events as the cause of the upswing in student interest in professional responsibility. "I guess it's all part of the post-Watergate phenomenon," she said.

The University of Chicago Law School for the first time this year required its students to take a course entitled *Ethics: Professional and Fiduciary Responsibility*. Associate Dean Stanley Katz explained that the faculty decided to require the course to better meet state bar requirements in Ohio.

"I think we were responding in part to the fact that we weren't responding properly to the ABA regulations," Katz said. The experience at Chicago with the pervasive method was not satisfactory. "I guess nobody really believes in the pervasive method although everyone says they do," he said.

Although many national law schools do not require legal ethics courses, Kaufman pointed out that roughly two-thirds of all law schools require some kind of formal training in professional responsibility ranging from first-year lectures to required courses.

The future of the professional responsibility course is uncertain. The Law School is offering more courses in the legal profession, including a new seminar next spring on professional responsibility in tax practice.

Bellow and Dershowitz expressed the hope that more faculty members would teach the course. Bellow noted that greater faculty involvement would produce a greater amount of serious discussion of ethics in legal writing.

"There needs to be a body of literature that takes into account the real world of lawyers and at the same time takes into account our moral aspirations," said Bellow.

Hickman: Jailterms Denied

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ployer's lawyer got out of them. And I could not have reached what they might know about it." Freedman remarked, however, that in retrospect the decision to permit Fortenbaugh to be cited for contempt may have been a strategic error in the sense that it created "sympathy" for Fortenbaugh from some quarters.

The tragic accident which the *Hickman v. Taylor* litigation was all about is a tall tale in its own right. That Norman E. Hickman lost his life in a tugboat disaster is one of the few facts not in dispute. Even the Supreme Court, in reviewing the case, described the accident as one "apparently unusual in nature, the cause of it still being unknown." Memories have lapsed and many of the principals have since passed away. But by piecing together the remaining strands from various sources, the colorful story of the sinking of the "J.M. Taylor" emerges.

It was in the early hours of a Sunday morning, February 6, 1943, that the tug "J.M. Taylor" sank in the frigid waters of the Delaware River. By an uncanny coincidence, the tug had been engaged the day before in a post mortem attending another unrelated maritime disaster on the murky Delaware: a carfloat carrying B&O railroad cars across the river had sunk off Philadelphia's Pier 12, and the Taylor and Anderson Towing and Lighterage Company was hired for the clean-up operation. Consequently, the "J.M. Taylor" was put to the task of freeing the carfloat from the mud on the river bottom and hauling her to a shipyard on the New Jersey side.

The effort seemed doomed from the outset. The "J.M. Taylor" managed to bring the all-wooden carfloat to the surface, but had only towed her a short distance when the float once again took a plunge and sank to the bottom. Captain Alton Murray of the "Taylor" de-

cided to persevere: he towed the float along the river's bottom until it became hopelessly mired in the New Jersey bank of the channel. Unable to do more, and with evening fast descending, Murray sought instructions from his employer on the shore.

Captain George H. Anderson, a member of the Taylor and Anderson partnership which owned the tug, decided after hasty deliberation that the "J.M. Taylor" would be best advised to "lay by" the sunken float. A derrick to bring the sunken float to the surface would probably be unavailable for several days, and a buoy to mark the spot where she lay could not be obtained so late on a Saturday afternoon. Anderson thereupon instructed Captain Murray to moor the tug to the submerged float. With nine seamen on board, she lay tied up to the float throughout the night without anchoring. Its steam up, the "J.M. Taylor" swung with the current and the tide.

It was at 5:45 on Sunday morning that a thud and wrenching grind was heard, apparently coming from the tug's bottom. The vessel took a slight list to starboard, and about five minutes later, the tug listed even more sharply. Alarmed and somewhat confused by this unfamiliar disturbance, the mate took action: he scurried to the engine room to inform the engineer that something was amiss, he started and stopped the engines, and twice sounded bells from the bridge. While he started the engine again at a third, the engineer sent an assistant to the fore-castle to awaken the sleeping crew. By that time about ten minutes had elapsed since the tug had first started to roll.

Before the crewmember could make it to the fore-castle, the tug suddenly rolled over on its starboard side and capsized. The wooden hull of the B&O carfloat could be viewed for an instant on the water's surface. Moments later,

both vessels were on their way to the Delaware's bottom.

One of the men in the fore-castle was awakened from sleep when he was thrown out of his bunk as the tug capsized — and lived to tell the tale. Five others drowned without ever learning what had happened. The body of Norman E. Hickman, clothed only in underwear, was later found in the fore-castle; he was evidently sleeping when the tug went down.

About three days later, Fortenbaugh's firm was retained by Taylor and Anderson to handle any litigation which the accident might lead to. Fortenbaugh settled three wrongful death claims, a fourth was apparently never filed, and the Hickman case — after a detour to the Supreme Court — went all the way to verdict.

Taylor and Anderson is still engaged in the maritime towing business, and has offices on Chestnut Street in Philadelphia. Captain Taylor died about 1955 and Captain Anderson died about three years ago; the firm is now run by second-generation Taylors and Andersons. According to George H. Anderson, Jr. (the son of Captain Anderson), the total liability of the partnership for the sinking of the tug amounted to about \$10,000.

The trial court hearing the *Hickman* case, presented with the shadowy facts of the tug sinking, eventually found the tug owners negligent on several counts. It held them negligent for the crew's failure to sound a general alarm, and ruled that it had been reasonable and foreseeable to the crew and its owners that the all-night mooring to the sunken float was unsafe. They should have realized, the court reasoned, that a wooden-hulled vessel would spring to the surface after being freed from the suction or obstruction which held it to the river's bottom.

So nearly three years after the sinking of the "J.M. Taylor" the administrators of the Norman E. Hickman estate collected the paltry sum of \$5000. As Fortenbaugh recently summed up

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Rule 26(b)(3)

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Hickman's recovery, "I don't think they thought much of him." Hickman was unmarried at the time of his death. And under the New Jersey survivor's statute which was held to govern in the case, the loss of pecuniary benefits to his father and mother was placed at \$4,000. Damages for pain and suffering were set at \$1,000.

After fighting for the right to secure the statements of the accident witnesses from Fortenbaugh's file all the way to the Supreme Court, Freedman objected to the admission of the very same material at Hickman's trial. His objection, moreover, was sustained. Freedman today explains his objection by claiming that the statements must have been all favorable to Fortenbaugh's client, or else he would not have taken them. "When my opponent takes a statement from a witness, I'm going to fight like hell to keep it out. I would assume that they all said the tug was in good operating condition, that everything else was O.K., nothing was wrong with anything, and so on. Of course, this is all a bunch of nonsense. How did the accident happen if it wasn't for the fault on somebody's part?"

Fortenbaugh confirmed Freedman's suspicions about the statements. However, he also revealed that his motives were somewhat mixed, as he wanted to dispel any doubt that his earlier resistance to Freedman's discovery request might have created about the propriety of his actions. "The statements were perfectly honest, perfectly clear. . . . I think I was playing games, as a matter of fact, by simply trying to show the court and show the jury that I had nothing to hide."

As to the other principals in the *Hickman v. Taylor* episode, Judge Kirkpatrick lived out the remainder of his life as a federal district court judge, and died a few years ago. "He was a great judge," Freedman remarked. "We always thought he should

be on the court of appeals, but he never got up there." Norman Hickman's parents, being advanced in age at the time of the litigation, have been dead long since. Presumably their financial position was little improved by their recovery in the case. The Taylor and Anderson Towing and Lighterage Company has expanded its workforce to about 40 people, according to George Anderson, Jr., but has reduced its fleet of tugs from seven to five. The "J.M. Taylor" was raised from the Delaware's

depths and refitted at great expense; it has since been salvaged. The other steam-powered vessels of the "J.M. Taylor's" vintage have been replaced by \$300,000 diesel models — as compared with the \$40,000-\$50,000 price tag carried by the tugs of yesteryear. The B&O Railroad loses few freight cars to river sinkings these days; it has been consumed by Conrail. And as George H. Anderson, Jr. observed, "There isn't much carfloat business around anymore."

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Prof. Shapiro

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the American Bar Association's committee on free press and fair trials. He helped frame the ABA's current position on resolving possible conflicts between the two constitutional provisions. "We took the position that sometimes there have to be restrictions on press coverage of court proceedings, but that they should be specific and limited in duration." He expressed approval for the Supreme Court's decision last year in *Nebraska Press Association v. Stewart*, which struck down a gag order on press coverage of a trial.

During his career, Shapiro has served as a labor arbitrator and has been a visiting professor at Stanford and the University of Pennsylvania.

Shapiro says he sees many changes in the Law School since his student days here. "Only the size and the quality are the same," Shapiro said. "The faculty is certainly much larger. It also seems younger — either that or I'm getting older. The faculty is also much broader in its background and interests. Many professors now have training in non-legal fields, including psychiatry and economics. The curriculum also is broader — the courses catalogue is twice as thick as it was 20 years ago.

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Brown Paper Rolls 26" x 34' long	79 cents
Polished India Twine, 200 ft. roll	\$1.10
White Cotton Twine, 87 yd. roll	\$1.70
Package Sealing Tape	
11/12" x 150" to 11/12 x 1000"	59 cents to \$2.49
Scotch Strapping Tape, 140 lb. Test	
1/2" x 360" to 2" x 2160"	\$1.07 to \$11.40
Ball String, 100 ft. roll	59 cents and up
Luggage Tags	39 cents to \$1.00
Coop Crate, 13" x 18" x 30" (4 cu. ft)	\$17.95
Corrugated Cartons, 18" x 14" x 12"	60 cents
Padlocks (Key and Combination Style)	\$3.25 and \$3.50

TRUNKS

Apartment Shop, Lower Level

Footlockers, 30" x 17 1/2 x 12	\$21.99 & \$28.99
Steamer Trunk, 33" x 21" x 12"	\$39.99
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Overseas Trunk, 40" x 22" x 23"	\$54.99

Cashing In Our Chips

We have ante-ed up, dealt, and now the chips are down. As we put volume 64, no. 10 of the RECORD to bed, we know that the day of judgment has arrived. Laying the twenty issues of this year's RECORD against the standards we set last September, we are aware that the magazine may have caused jeers as well as cheers. But whether what we now offer to our audience is excuse or self-congratulation, we volunteer the following parting remarks.

For those of you who have been cloistered in the stacks all year, we will call to your attention that we have tried to broaden the scope of the RECORD. We confess: issues this year have contained stories, columns and even (gasp) editorials on nonlegal subjects. Some have incorporated humor, or so tried. Others have taken on sacred cows.

Yet how are we to judge our success? One means, we suppose, is reader response. For those of you who have responded with wit or thoughtfulness, we are happy to have prompted you to put pen to paper. As for the others, who have responded with somewhat less than the customary modicum of self-restraint, we were at least pleased to have avoided our occupational hazard: engendering boredom.

As the chips really are down, your editors will exit gracefully. In the words of the statesman, you won't have us to kick around anymore. And vice versa.

Cut the Cards

"Next year, I'm getting rid of the limousines and walking to work. The chef goes. And I'm letting our foreign correspondents go. I do, however, plan to cover Law School sports to the hilt."

So spoke Terence J. Keeney, 1L, newly elected editor of the HARVARD LAW RECORD for Fall semester, 1977. Keeney's election was unanimous. The new bureau chief hails from the bedroom suburb of Kensington, Maryland, and attended college at Notre Dame (home of South Bend). He comes to the post with impeccable journalistic credentials, having last graced the offices of the *Notre Dame Observer*, a daily. We exacted a promise from Keeney not to change the color of RECORD ink to green before we ratified his election.

Charles E. Cheatham, 1L, the News Editor of this semester's RECORD, was elected to the post of Managing Editor under Keeney. A wild gleam in his eye, Cheatham commented to the present editor, "I'm a crusader. I don't know where to stop."

We are confident that next Fall's RECORD may surpass the unsurpassable. May all the luck in the world be with them.

HARVARD LAW RECORD

CHARLES C. JORDAN	Editor
PAUL J. COADY	Managing Editor
GARY D. HAILEY	Executive Editor
ANDREA BROWN	Associate Editor
STEPHEN JACOBS	Photography Editor
STEVEN R. DAVIDSON	Business Manager
CHARLES E. CHEATHAM	News Editor
TERRY KEENEY	Features Editor

Staff: Micah Bloomfield, Robert Carr, Michael Collins, Tim Cooper, T. F. Eldredge, Roger Evans (New York City), Fenno, Susan Gillette, Debbie Goldberg, Sam Goldberg (Milwaukee), Bruce Howard, Susan Jack, Pat Kennedy, Madison King, Jeff Kurtz, Adrien Mally, Barry Miller, Vincent Pagano, Scott Patterson, Randy Phillips, Steve Prye, Mike Raiden, David Remes, Rob Reznick, Robert Rizzi (Cleveland), Bill Ross, Bob Ruxin, Ellen Taylor, Hayden Trubitt, Larry Zelenak.

Fenni

Fenno couldn't concentrate. The pacing of the 3Ls in the Root Room was driving him crazy. "Hey, guys. Walking back and forth in the library isn't exactly the best way to study."

"We're learning *Estate Plodding*," one of them said. "Are we disturbing you?"

Fenno had to admit he wasn't actually working, but he would appreciate quiet. "I'm trying to figure out why I feel like such a failure."

"Oh, come on Fenno. Just think of all you've accomplished this year." The 3Ls all came over to cheer him up. One said, "Remember your column on the absence of Italian-Americans? That got results. HLS has hired a new person for next year to teach Labor, Vincent Omnia."

"What of all my other columns, though? I didn't manage to hound a single faculty member into early retirement. In fact, looking over offerings for next year, I'm even more depressed. Same courses, taught by professors one year further away from competence."

"You can't expect those clowns to resign just because you call them names. You've got to expect with those thick heads they have pretty thick skins."

Fenno shook his head. "It's deeper than that. Responses around here never make sense. Students see that HLS is intellectually and morally bankrupt so they ask for a change in the calendar. The faculty's only contribution to reform is voting not to allow students to applaud in classes over fifty. They finally realized those ovations were phonier than a paper on *Professional Responsibility*."

"Be realistic, Fenno," another said. "We don't want to jeopardize Harvard's reputation with some wild-eyed reforms. We have to steer the difficult course between Syphilis and Caribda."

"Garbage," Fenno replied. "I'm worried about my reputation. Readers are going to stop taking me seriously."

"They'll only do that if you teach *Federal Courts*."

"True. But no one has done that here for years."

"Always complaining," the 3L said. "So what if HLS is hellish and inhuman, full of incapable administrators directing incompetent professors? Look on the bright side — it costs \$1000 a year less than Yale."

"You're right, guys. I can't keep up this negative pretense any longer. I really think HLS is perfect. I make all my complaints up in arrangement with Dean Sacks in order to deflect substantive criticism. Without Fenno, the Dean is convinced this place would be torn down in a week. Well, I can't take it any more, even if Sacks might be right for the first time ever. The place is yours. Good-bye."

Letters to the Editor of the RECORD

Spousal Transfers: In '58, It Was Different

To the Editor:

I read your report of April 15, "Transfers Allowed For 'Significant Relationships,'" with amusement, some nostalgia and more than a little wonder.

In the fall of 1956 my wife entered Harvard Law School and I returned from military service to the second year class. Our first child was then a year old. In the spring of 1958 we decided to move to New York City, I to practice law and Ruth to take her third year at Columbia Law School. While we had given serious thought to remaining in Cambridge the extra year, we gave none to dividing the family.

In those antediluvian days, there were few women at Harvard Law School, fewer were married and fewer still had children. Male or female, transfer by reason of family was a rare thing; transfer by reason of "significant relationship" was unheard of.

Believing a family, a not unsatisfactory academic record, and Columbia's willingness to risk it reasonable grounds, Ruth asked the Harvard Law School administration to award the Harvard degree if she managed successfully to complete her third year at Columbia. The administration's response was uncomplicated. Ruth was not asked if she was "seriously involved" with spouse or child or both. No one inquired as to the likelihood of divorce on the one hand, or marital stability and even additional children on the other. No one speculated as to the quality of third year legal education at Columbia. It was all irrelevant. To bestow the crowning accolade of a Harvard degree, Harvard required the third year be spent at Harvard.

Career blighted at an early age, Ruth transferred her affections to Columbia and satisfactorily completed the third year. After reading that transfer by reason of marriage now is viewed more kindly in Cambridge, I asked Ruth if she planned to trade in her Columbia degree for a Harvard degree. She just smiled.

I suppose Harvard has come 540 degrees in 19 years: 360 degrees if you are married; 180 degrees if you are merely friendly. The former is late but satisfying. The latter seems to me lunatic. It is not easy to imagine Frank Sander, whom I know to be an extraordinarily intelligent and decent person, forced — it must be under compulsion — to interrogate grown men and women to judge how significant the significant relationship may be. It is no easier to conceive the meeting of the Administrative Board that solemnly debates whether the relationship under scrutiny will (or should?) survive two terms apart.

MAY 6, 1977

I wonder if another 19 years will be required to complete the drift toward a sensible solution. It is a nice thing to have a degree from the Harvard Law School. On the rare occasion I run across it, I treasure every Latin word in mine. But I am not convinced it is to Harvard's special profit that my wife is identified as a Columbia graduate, and I have no better reason to believe Harvard's interests are advanced through the casting out of others. I am convinced, however, that in due course we will all look back at the present inquisitorial system with amazement and dismay.

Married now, married soon or married not at all, if a student for personal reasons feels compelled to spend the third year in another city, and a law school of merit will accept the transfer, that ought to do it. I am sure the Harvard faculty is as wonderful and perceptive today as it was two decades ago, and has better things to do than inquire into the private affairs of students and make subjective judgments on the strength and endurance of personal commitments.

Martin D. Ginsburg, '58
New York, New York

(Ed. note: As Mr. Ginsburg told us, the Ruth in the letter is Ruth Bader Ginsburg, professor of law at Columbia and general counsel of the American Civil Liberties Union. Just think what else she might have accomplished had she enjoyed the benefits of a Harvard degree.)

Soon-to-be Ex-Editor Bares All, Takes Fall

To the Editor:

Since this is the last issue of the RECORD in which my name will appear as an editor, I feel it is time for me to clear the air and get some things out on the table.

There's been a lot of talk around Harvard Law School that the pages of the RECORD are often sexist, or offensive and in poor taste. Well, I just want everyone to know who was responsible for most of that sexist, offensive material that has appeared in the RECORD in the past year.

Yes, it was me. And things could have been even worse if it hadn't been for the constant vigilance and firmness of the other RECORD editors. Left to my own devices, I probably would have done even more damage.

Let me just give you one example. Early this semester, I penned a rather amateurish parody of a "men's magazine"-type letter. (We need not go into details. The subject matter involved two features of the female anatomy which on occasion go inward.) It was sexist and in poor taste and, frankly, would not have been found particularly

funny even by those who enjoy that sort of thing. The other RECORD editors were polite but firm in their refusal to print my letter.

But I kept at it, trying to get the same "joke" put in print. I rewrote it in many different forms. I even attempted to disguise it and to slip it in without anyone noticing it, but my stealth was no match for the vigilance of my fellow editors.

Why do I reveal these rather shameful facts now? I know now that the other editors were right, and I was wrong. My misguided attempts to be "funny" brought some discredit to the RECORD this past year, and for that I am sorry.

But my concern is for the future. This is the last issue of the RECORD with which I will be associated; and when I depart, the last drop of sexism and bad taste which flows in the RECORD's veins will leave along with me. Next year, the RECORD will once again be worthy of your respect.

Gary D. Hailey, 3L
Cambridge, Mass.

This Letter Was Dated April 31 (?)

To the Editor:

The two-year law curriculum is an idea that should have been instituted years ago. I can't wait to read "Sex and the Lady Chief Justice" — the review whet my appetite.

Morton J. Hollander '37
Baltimore, Md.

SPORTS QUIZ

1. Exactly 20 years ago today (May 6, 1957), a line drive struck a Cleveland pitcher under the left eye, destroying his career. Name the pitcher, who had led the A.L. in strikeouts in 1955 and 1956, and the batter.
2. What do the following have in common: Chicago, Connecticut, Rochester, St. Louis, Toronto?
3. Who was the last player to hit safely in each game of a 7-game World Series?
4. On February 2, 1974, two men both bettered the world record for the 1500-meter run in the same race. Name the runners and their countries, the location of the race, and the previous recordholder.
5. Which player drew two bases-loaded walks in one World Series game?
6. List the five teams in the East Division of World Team Tennis.
7. What will happen this year for the one-billionth time in major league baseball history?

Fear & Loathing Seizes HLS

(Continued from Page 1)

eral garbled reading became too much of a chore, he opted for this Q.A. format.

Q. How come your Saigon coverage was really short?

A. Well tell me how you would feel if you were somewhere over Guam on your way to Saigon during the last days of the war and you had some freakish, fat punk cancel your life and medical insurance.

Q. What do you think about Charles Colson's religious conversion?

A. If I had seven or eight years and they told me I'd get seven or eight months if I saw Jesus and went and told everybody, I'd probably do it. Colson, Cleaver, they all seem to turn in the same direction when the cruncher comes down on 'em. Leary hasn't done it yet as far as I know.

Q. Is it libelous to say that there is an organized conspiracy in religion like that?

A. No, probably slanderous, but I'm getting more and more judgment-proof every day so . . .

Q. Are you going to ever try your hand at fiction?

A. I don't think I know the difference. Actually, fiction requires more work and accuracy than journalism.

As the progenitor of a pungent, prosaic writing style which he calls, "intense, demented journalism . . . or gonzo," Dr. Thompson has been published in a wide variety of journals, including the *New York Magazine*, *Rolling Stone*, *The Nation* and *Esquire*. Although he has written books about such sundry items as the Hell's Angels motorcycle gangs and the 1972 presidential campaign, the Forum audience seemed primarily concerned with *Fear and Loathing in Las Vegas: A Savage Journey to the Heart of the American Dream* which is probably the finest specimen of "gonzo" available.

The Good Doctor seems to bring out the best in people. When he finished his Heinekens, he reached under the same desks behind which Supreme Court Justice John Paul Stevens sat last fall to judge Ames Moot Court arguments, pulled out a bottle of Wild Tur-

key and filled a tumbler to wet his whistle. Then as he continued answering questions, an erstwhile petitioner sought permission to approach the bench, grabbed the Wild Turkey by the neck, and, like a chic geek, sucked hardily thereupon, rubbing his stomach and slapping the Good Doctor on the back when he had filled himself.

Q. See any beavers up in the mountains?

A. Oh yeah, lots of beavers.

Q. Do you have any kind of world view of Carter?

A. A world view of Carter? No. But if you want to be a little more specific, we can probably get to something.

Q. Did you ever get into trouble for what you did to the Red Shark?

A. Oh, no, no. You pay your two dollars a day, they can't touch you. That's the best bargain in the country, that insurance. You can take that thing all over the desert, drive it through water tunnels, culverts, whatever.

(Continued on Page 16)

Cryptic Law

The following excerpt from a recent judicial opinion is in "judicial code." This week's code is a real challenge and is dedicated to N. L. Decode it. (Hint: Each letter or numeral stands for a letter of the alphabet. "?" stands for "6".)

"W8hd3 yqf8ht q w9d8qo w3d74856
h7jg34 8h 5y8w w9d8356 yqw g3d9j3 q
04343178w853 r94 w9 jqh6 9r 5y3
w9e8356'w g3h3r85w . . . , h9 t43q5 o3q0
9r 8jqt8hq589h 8w h3d3wwq46 59 54qf3o
r49j 5y3 3s3t3w8w 9r \$3f3oq589h 59 5y3
0oq8h58rrw' g3o83r 5yq5 w7dy h7jg34w
d97oe r7jd589h, 8r 5y3 w5q53 2343 59
g3d9j3 599 09234r7o, o8i3 5y3 jq4i 9r 5y3
Qh58dy48w5 [??] w09i3h 9r 8h 5y3
g8go8dqo 53w5. 285y 5y3 y8w5946 qhe
o8534q5743 jq4wyqoo3e g6 0oq8h58rrw 59
w700945 5y384 e9h53h589h, 5y384 t3o83r
j7w5 g3 dyq4qd5348a3e qw 43o8t897w r94
07409w3w 9r 5y8w dqw3."

(Solution on Page 16)

HARVARD LAW RECORD

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— POSSIBLY THE LAST —

NERD COMIX

YOU WILL EVER READ —

starring
Herb
Garnish



Herb has mistakenly been arrested while complaining about the noise level at a party...

OK, Grogan, an
Idle and Disorderly

SPUTTER
FZZ BZZZ
OUTRAGE!

Yeah, yeah,
buddy, we
all have
it tough

Toss him
in the
tank till
he cools
off

The day shift comes in...

You get the card yet
on this Garnish guy,
they locked up
last night?

Just this
minute. He's
a big fish
allright...
Hm... this K
in "Garnish"
must be a
typo. I'll
fix it.

Garnisk, Herb

Murder I
Convicted 6/1/73
Appeals exhausted
Execution set 5/6/77
Escaped 2/15/77
RETURN IF CAPTURED TO
JAYNE MEADOWS PRISON

L
A
T
E
R

Your Honor—
just a routine
escapee
warrant...

Sure. Have
Gladys sign
it for me,
OK?

Now, Crumly,
about that
golf game...

Caught this character just in time.
Glad they won't have to resched-
ule things

Can't wait to litigate
this one (HEH HEH).
Teach them a thing or
two about false
imprisonment!
Hoo, Hoo!
Heads
will
roll!

POLICE

A barber
chair?

HEY! I
DON'T
REMEMBER
ASKING
ANYONE
FOR A
HAIRCUT!

AND
I'M
NOT
GOING TO
PAY
\$2.75
FOR ONE
EITHER

This guy's tough as nails, hey,
Rudy? OK - PULL IT!

Kind of thin - Jeez, they always
take too much off the sides...

Hey!
Where are
my shoes?

Shoes,
heck!
Where are
my FEET?

I've been waiting
for you, pal.

Wait a minute! You
can't put me here!
I have the right to
notice! An opportunity
to be heard! Confron-

Um...
Sorry.
We're not
really into
due process
down here,
y'know?

FRY

Here is where
you will spend
all eternity,
Herb Garnish!

All the law
books ever
written—and
more!

This
LIBRARY?!

HEH
HEH
HEH

Gosh,
that's
awful!

And they call this
Hell??

Oh yeah—
just one
more thing

Oh?
what's
that?

The lights
won't
be on

Scott Patterson & BOB BURAKOFF, EDITOR

HLS Alumna on Mass. Supreme Court

(Continued from Page 1)

on the job she has held for almost three months. The biggest challenge, she finds, "is to think about the law abstractly, not only about a case, but as to the implications of the case."

Abrams, who once screened cases for the justices as a special legal assistant, readily admits to being nervous during her first day on the bench. "It was a little awesome or a lot awesome," she says with one of her frequent smiles.

The other justices, including two who were HLS professors when the 45-year-old Abrams was a student, gave her their own impressions of the job. Their observations did not vary too much, she says.

As the first woman justice, Abrams says she has encountered no special problems. "Everybody's used to women."

And Abrams is used to working in a predominantly male environment.

When Abrams entered HLS in the fall of 1953 she was one of about a dozen first-year women in the school's fourth year of coeducation. Personally, she had few qualms about studying at Harvard.

"I had come from a family of lawyers," Abrams recalled. "My father thought the law was a perfectly fine place for women." Her father, the late Samuel Abrams, '26, was the first alumnus to have both a daughter and son graduate from HLS.

While hesitating to generalize, Abrams believes the women's motives differed somewhat from



Ruth I. Abrams, '56: "Everybody's used to women."

many of their male classmates. "We did not go with the idea of becoming big corporate counsels or partners in major law firms. I went with the idea of joining my family's law firm."

Like Abrams, many of her female classmates hold high positions in the law, including government, prestigious firms, and the bench.

"I didn't feel any hostility particularly," she said. "You did get to know other female law students pretty well." When asked about socializing between men and women in the law school, she noted that several of her classmates married law students.

"I don't think it was terribly much different except for the numbers."

Abrams retains ties with Radcliffe and HLS as an elected di-

rector of the Harvard Alumni Association and as a mock trial judge in the clinical program.

Calling the clinical concept "a super improvement," she says, "You realize how hard it is to ask the questions. It is not easy to be a good trial lawyer or trial judge."

Another benefit of clinical training that Abrams sees is that students finish "interested in becoming trial lawyers and maybe not in the paper chase."

Teaching the law to college and law students, young lawyers, and the police is one of Abrams' "hobbies." "I love teaching kids," she says. But Abrams does not see herself as a law professor. "I sort of like being in the fray," she says with a big smile.

The law dominates her life.

"All the time you're mulling things over. But that's all right; you do it everywhere," says Abrams.

Once while watching "60 Minutes" a solution to a Superior Court problem popped into her mind. "I wasn't even knowingly thinking about it."

Even in a darkened movie theatre she can't escape from the law. While watching "Dirty Harry" all she could think about was "the search was no good."

Abrams repeatedly talks of the law as exciting: "It's exciting to be part of the making of the law. It's exciting to be an advocate and win or to lose and see your position become a part of the law." She won some big cases, including (as co-prosecutor) the Commonwealth's case against Albert DeSalvo, the Boston Strangler.

"I put a lot of time into my job," Abrams says. She isn't sure how her career would have differed if she had chosen to have a family. "That's a very difficult question to answer."

Just as she had earlier in explaining why she switched from prosecutor to judge, Abrams

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(Continued on Next Page)

HARVARD LAW RECORD

Her Honor

(Continued from Page 14)

cited Robert Frost's poem "The Road Not Taken."

"I just chose the path less traveled," she says. "What would have happened had I taken the other path, I'd never know."

It's just possible that the path taken will lead to Washington.

MISCONDUCT?

Every once in a while, stories of bad apples in the judicial barrel do pop up.

One instance of judicial misconduct allegedly occurred last month in an Opolis, Missouri courtroom. The story begins when Ms. Judy Selppin, a college theatre arts major, was walking the streets of Opolis looking for the place where try-outs for a community theatre production were to be held. Dressed in full costume, including low-cut gown and theatrical make-up, Selppin asked a middle-aged, male passerby for directions.

A police officer came upon the scene and jumped to conclusions. He knew nothing about a tryout for a play and had never seen Selppin before, and the local resident didn't stick around to back up her story, so she was hauled in for soliciting.

Selppin was taken before municipal magistrate J. B. Hoechster, who was about to leave the courthouse after the Tuesday night traffic court. When she called her father, he called their attorney, Murray G. Scott, who drove over and posted \$100 bail.

The charges were dropped when the situation was explained. But when Selppin was telling lawyer Scott about what had happened in the judge's chambers before he arrived with the bail, she had a rather unusual incident to relate.

"Judge Hoechster heard the policeman explain what the charges were," Scott said "and asked Judy if she had ever been treated for 'mental troubles,' as he put it. She told him she hadn't, and then he said something like, 'Well then, what's your excuse?' She told him she didn't understand. So he came out with this line, or something like it: 'Well, you've said you're not a mental case, and I can see that you're not black, so I want to know what excuse you have for doing something so immoral and disgusting like prostitution?'"

When Scott confronted Hoechster with his client's story, the judge denied it. But Scott believes Ms. Selppin's version of what happened.

The only other witness to the alleged conversation is the city policeman, and he's not talking, at least not to Scott.

—Gary D. Hailey

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Innkeeper — JOSEPH ESKENAS

Comic Strip Irks Guzzling Journalist

(Continued from Page 12)

Q. Would you date Patty Hearst?

A. Well, I sure wouldn't pin her, but I'd date her.

Turning to a more serious subject, Dr. Thompson said in reference to his caricature in Garry Trudeau's "Doonesbury" comic strip, "It's weird waking up every morning for two years whether you're in New York, Texas, or Australia and seeing yourself in a comic strip. It's not normal. I'm just waiting for that bastard Trudeau to slip and I'll have him at my house cleaning the peacock shit off the porch."

Q. Do you plan to go over and speak to the people in Audio?

A. Audio, who's talking?

Q. There are people who couldn't get in here who are listening to you on Audio. Are you going to go over and talk to them?

Solution to "Cryptic Law"

"Since having a social security number in this society has become a prerequisite for so many of the society's benefits . . . , no great leap of imagination is necessary to travel from the exegesis of Revelation to the plaintiffs' belief that such numbers could function, if the state were to become too powerful, like the mark of the Antichrist [666] spoken of in the biblical text. With the history and literature marshalled by plaintiffs to support their contention, their belief must be characterized as religious for purposes of this case." *Stevens v. Berger*, 45 U.S.L.W. 2449 (Gen. 3-29-77)(E.D.N.Y.). (Weinstein, J.). Despite the state's interest in using social security numbers to combat welfare fraud, the court found the plaintiffs' refusal to supply the numbers as preconditions to receiving welfare benefits well within the realm of permissible religious activity. Thus the state was precluded from requiring them to reveal the numbers, i.e., Revelation precluded revelation.

A. You people are really f-----g greedy . . . where'd you get the goddamned nerve . . . I was told I'd be talking to 20 law students in somebody's living room . . . somebody's charging money to get in here and I'm sitting here a package of sorta fused chemicals and I wouldn't be here if I didn't have to and now you want me to go somewhere else?

Like all stars, the Gonz is rapidly burning himself out; in the meantime, however, his decadence shines with an unmatched brilliance.

Q. What do you think of Larry Flynt?

A. If I was his lawyer, agent or P.R. man, I'd get him down to Cincinnati and put him on trial right there, just like he did. The jury will probably be overturned. It's probably like the old and partly reliable maxim or whatever that 'the weakest link in any civil rights case is usually the defendant.' I mean if you try to defend a degenerate on principles it's just that there are better people we could get to carry the ball for us on the First Amendment than Larry Flynt.

Q. What is your opinion of the real obscenity?

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THANK YOU.
Susan B. Miller

A. I really have to have at least an area to talk to.

Q. What is your opinion of the Real Obscenity?

A. That's a paper?

Q. What do you see happening in American politics in the next three years?

A. You people must think I'm very lofty . . . Hi ya, what's it all mean . . . I don't see any electricity in politics.

Q. What advice would you give to a beginning writer?

A. Quit, become a lawyer.

Q. What advice would you give to a first year law student?

A. Give me your drugs and your money. I'll talk to you later.

Sports Answers

1. Herb Score; Gil McDougald (New York Yankees).
2. These are the teams in the North Division of the Atlantic Conference of the North American Soccer League.
3. Denny Doyle, Boston, 1975.
4. Filbert Bayi (Tanzania, 3:32.2) beat John Walker (New Zealand, 3:32.5) in Christchurch, New Zealand. Jim Ryan held the old record (3:33.1). Ben Jipcho finished third in this race and turned pro shortly thereafter.
5. Jim Palmer, Baltimore pitcher, 1971 game 2.
6. Boston, Cleveland, Indiana, New York, Soviet Union.
7. A fan will pay admission.

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