

Gordon, Murphy Discuss Legal Aid

Addressing an assembly of Law Center students last Tuesday, Assistant Dean Richard A. Gordon and Professor John Murphy strongly urged students to participate in the activities of the Legal Aid Society.

Dean Gordon pointed out that too many students go straight from law school to comfortable legal practices without becoming aware of the harsh realities under which many people live. A method of becoming cognizant of the hidden side of American life, the world of the poor and underprivileged, he suggested, was through work with the Legal Aid Society.

Practical Experience Stressed

In addition to contributing to the raising of human dignity and hope, he went on, the program offers the student a chance to use some of the things that he has learned in the classroom as well as to learn some things in the realm of practical experience that cannot be acquired in the classroom. He stressed, however, that stu-

dents participating in the various programs would neither be practicing law nor advising people of their legal rights. They would, instead, be serving as aides to attorneys. Nonetheless under a new program outlined students would have contact with indigent people.

Prior to a discussion of the new program by Professor Murphy, the Dean outlined the three established programs that the law school has in the area of working with indigent people. All three are in the field of criminal law. They are:

- The Legal Aid Society program whereby students work under lawyers of the Washington Legal Aid Agency. They act as "leg men" for the lawyers and do investigative and research work.

- Assistance to the Legal Intern Program whereby law students do much the same thing for the legal interns at the Law Center.

- The Junior Bar program in which students lend similar assistance to young attorneys with well known law firms in the district who are defending indigent criminal cases.

New Program Outlined

Prof. Murphy then proceeded to outline a new program instituted by the Georgetown Legal Aid Society. Under the program, law students will man a desk at the Information Project, a new community center and laundromat on Pennsylvania Avenue, S.E. In addition to practical advantage of providing a laundromat, the project serves as a local gathering place for residents in the area. The purpose of the Legal Aid program would be to provide a knowledgeable person for residents to come to with complaints and problems that have visible legal consequences in the area of civil law. The role of the student, Professor Murphy emphasized is to provide legal counsel, but rather to ask questions, obtain sufficient information to make up a report which will be passed on to an attorney who will decide if sufficient legal merits to make a case exist. If so, the student then will assist him throughout the life of the case. Prior to actual participation, the program will offer some additional orientation on procedure at the Project.

Georgetown Law Weekly

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November

D. C. Crime Bill Comes Under Attack Greenhalgh Protests

The controversial Omnibus Crime Bill for the District of Columbia finally passed Congress and was sent to the President last week, only to find itself still under fire.

Those leveling their sights on the bill ranged from the American Civil Liberties Union to the *Washington Post*. Nearly all of its opponents sent messages to the President asking him to veto the measure.

Among those who were most vociferous in their criticism of the bill was Professor W. W. Greenhalgh, director of the Georgetown Legal Intern Program. Greenhalgh termed the bill a "monstrosity" and "patently unconstitutional."

"They passed something that they absolutely didn't need," Greenhalgh went on to say.

Conservatives Also Unhappy

It was learned also that the bill was encountering quiet but active opposition from many moderately conservative elements in the city, including judges in the Court of General Sessions.

The American Civil Liberties Union promised an immediate court test of the bill, if it becomes law. A letter from Marion Barry, Jr., chairman of SNCC in the District, called the bill a "Nazi totalitarian-like threat."

Although Justice Department officials had no comment on the bill, they are understood to be considerably disturbed over the bill's implications.

A letter sent to the President by Professor Greenhalgh last week included a memorandum analyzing the legality of the bill and criticizing it as unconstitutional, inconsistent, and unnecessary.

(See Greenhalgh Pg. 4)

Law Weekly Debuts

This week's issue represents the inauguration of the *Georgetown Law Weekly*.

Interim Editor, Alan J. Lew, a second year student, announced that the *Law Weekly*, although created and sponsored by the Student Bar Association, will function as an independent publication and will not reflect the views of any single group or individual.

He also pointed out that addition staff members were badly needed in every phase of the paper's operation. He cited the need for business and layout personnel as particularly pressing.

The *Law Weekly* hopes to carry a broad range of news stories of special interest to the Law Center community, as well as a

comprehensive schedule of each week's significant cultural and social events. The paper will also include features articles, a letters-to-the-editor column, and occasional theater and book reviews.

A meeting for all those interested in serving on the *Law Weekly* staff in any capacity has been scheduled for Monday, November 7, at 3:00 p.m., in the Student Activities Room.

Interim Advertising Manager, Paul A. Levy, also of the second year, reported that the newspaper would be completely dependent on advertising revenue to cover its printing costs, and that after publication of its first issue, the *Law Weekly* was well in the black.

Barristers Revamp Argument Programs

by Clifford J. Alexander

The Barrister's Council has announced a major change in the Legal Argument Program for second and third year students. The change, which was approved October 7 by the Executive Faculty,

will be effective this year on a trial basis.

Under the revised program, there will be two separate competitions for the second and third year students. The Edward Douglas White Competition will include

third year morning students, third and fourth year evening students. Second year students will argue in the William I. Competition, named for a student of Georgetown distinguished in the field of appellate a

YR-YD Poll Results Show Various Opinions Kennedy Fares Well

The Young Republicans and Young Democrats of Georgetown Law Center conducted a joint poll of the student body on October 27. The questions were evenly split on issues involving the war in Viet Nam and a survey of domestic political questions. From the total of 320 ballots cast, the results are quite surprising, and, if nothing else, offer some insight into the wide variety of opinion among law students.

On the question "Do you think the U.S. should give military assistance to all countries threatened by Communist-led wars of national liberation" 57% felt we should not and 25% felt that we expressly should—the remainder were either undecided or cast no opinion. 35% felt the U.S. should continue the present North Vietnamese bombing policy; 31% felt the bombing should extend to targets in Hanoi and Haiphong and only 30% felt we should cease bombing in North Viet Nam all together.

63% felt "the U.S. should not significantly increase its troop commitment in South Viet Nam and 22% felt we should increase the troop commitment. An overwhelming 69%, however, were opposed to unilateral U.S. de-escalation of the ground war in South Viet Nam and only 22% were for such a proposal.

13% of the students polled felt that they opposed public opposition to Viet Nam policy—69% were agreed that such demonstrations are not contrary to the nation's best interests.

With so many law students in the vulnerable position themselves it is not surprising that 48% of those polled were opposed to Reserve and National Guards mobilization for Viet Nam service—38%, however, did feel that this was desirable.

In response to a question on tools to fight inflation 36% favored a decrease in federal domestic

A major feature of the program will be the submission of an appellate brief in accordance with acceptable Supreme Court standards. In the past, students were permitted to submit briefs of authority, and only the best were required to write a

2nd Year Writing Requirement

This year also, students submitting an appellate brief complying with the standards will not be required to write a legal paper for the Legal Writing Requirement. The briefs will be submitted to Professor Schmertz, faculty advisor for the Legal Argument Program, for certification. The substitution of a brief for the Legal Writing Requirement will not depend on the success of the team in the competition.

Students will enter their respective competitions in teams of two rather than as individuals and will be judged in the first round according to both their brief (1/3) and their oral argument (2/3). The top two thirds in the first round will then be divided into two sections (by drawing lots) and will begin a series of elimination rounds to determine which team from each section will enter the final round. The final round will be argued, as in the past, before a distinguished panel of judges in the Court of Military Appeals.

Purpose Cited

The purpose of the change is to encourage more students to become involved by guaranteeing them greater participation in oral arguments and a more equitable division of competitors. The new program is also expected to encourage a higher quality of arguments by requiring superior, more realistic briefs and by eliminating the double burden of participation in the Legal Argument Programs.

(See YR-YD Pg. 2)

(See Barristers Pg. 4)

The Georgetown Law Weekly

Georgetown University Law Center, Washington, D. C.

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November 3, 1966

TERIM EDITOR

Alan J. Lew

Terim Advertising Manager

Paul A. Levy

Contributors: Tom Hood, Lou Mauro, Neil Jackson, David Luria, Clifford J. Alexander, Chris Kane, S. Pitkin Marshall, Steve Owendoff, Jim Dowd.

Editorial

WHO WE ARE

Thus we begin. First, with gratitude for an administration sufficiently tolerant, and a Student Bar Association sufficiently alert to support and encourage still another vehicle for the free exchange of information and ideas among the students of the Law Center. Indeed, we have come to life largely through the energies of the SBA and we could not survive without the administration's imprimatur.

But let it be clear from the beginning—while we are grateful, we are not beholden. We are and we will remain an independent publication dedicated to the service of the entire Law Center Community.

★ WHY WE ARE

Allow us to present our case in a light most favorable to the defendant. We have at the Law Center, as broad and as stimulating an array of extra-curricular opportunities as one could hope to encounter in a professional school milieu. Our faculty and our alumni are active, distinguished, and frequently involved in projects of immense significance to both the legal community and the community at large. In Georgetown, we are free to enjoy a city which regularly attracts cultural events of the highest calibre—a city unsurpassed as a center of art and political accomplishment. We are part of a major urban city.

All too many move about in the midst of all this and are never aware of its existence. All too many proceed from week to week from class to casebook, cut off, insulated from the limitless unities which surround them.

One problem is one of communications. There are no living facilities. We scatter ourselves from Arlington to College Park, from Sy Row, to Capital Hill. We come at ten, we leave at three. We are in the same room, and if just outside that room a professor is trying to find a way to bend the very fabric of our society, then where are we to know? And if two blocks down the road, there is a museum of Chinese Art so brilliant that ten centuries have failed to diminish its power, then how are we to know? Was it on the Bulletin Board? Did they send a mimeo around?

Our weekly newspaper can alert us to the smallest fraction of what is going on around us it has paid its way.

ROOM FOR TWO

In the past few years *Res Ipsa Loquitor* has evolved into a bold and imaginative publication. Its value to the student body as a forum for free, lively and extended discussion is immeasurable.

Res Ipsa Loquitor appears only four times a year, and therefore cannot tell us what is going to happen at the Supreme Court next week or who won last week's student elections, or who is going to speak at the Library of Congress the week from next.

There is not only room for two publications at the Law Center—there is a need for them.

POLL—Fr. Pg. 1, Col 3

Spending, 31% favored a tax rise and only 26% favored retention of the current monetary policy as the only tool.

In the area of federal housing legislative restrictions 29% agreed with the House passed bill providing for limited "open housing legislation"; 22% favored a stronger bill, 15% favored a more limited provision and 25% were opposed to any federal intervention at all.

In the area of federal welfare legislation, 62% of those polled stated that the federal government is either doing enough already or is doing too much in the welfare field; only 34% felt the federal government is not doing enough and 4% expressed no opinion.

Law students appear to overwhelmingly support "Home Rule" for the District of Columbia—as 62% expressed an opinion that D.C. should have "an independent municipal government and congressional representation and only 16% would retain the present system.

The most clear-cut dichotomy came on the question regarding repeal of Taft-Hartley provision No. 14b (the provision which permits states to enact Right to Work Laws). 62% would not like to see this provision repealed and only 33% would favor such a move.

Perhaps the most interesting question was that which sampled personality preferences. In reply to a question asking whether the person would vote for certain men in an election held today, George

Romney would win by a margin of 8% over Lyndon Johnson (50%—42%—8% Undec.); but he would lose by 7% to Robert Kennedy with 5% undecided. Johnson, however, would win 58% to Richard Nixon's 34% if those two were matched (8% undecided). Kennedy would outdistance Nixon by a margin of over 2 to 1 (31% for Nixon, 64% to Kennedy and 5% undecided). John Lindsay would have 44% against Johnson's 50% (6% undecided), but he would lose to Kennedy's 55% with only 38% (7% undecided). Charles Percy would lose 41% to 52% in a race with Johnson and 31% to 60% in a race with Kennedy (remainder undecided). The only obvious conclusion we can draw here is that the junior senator from New York would make a much stronger candidate for president at Georgetown Law Center than would Lyndon Johnson.

Both clubs express their thanks to co-chairmen Gerry Shee and Tom Hood.

Build Your Cathedral

By Leonard Goldstein

(The editors of *The Law Weekly* have invited the president of the Student Bar Association to contribute to our first issue)

During Orientation I had the privilege of speaking to the incoming first year class. Having recently returned from the American Law Student Association Convention in Montreal, I related to them a story I had heard there, the moral of which has a certain relevance to our own situation.

A traveler, coming upon three workmen, asked the first what he was doing and received the reply that he was digging a hole. The second responded that he was piling up stones. But the third, who was doing exactly the same work, replied, "I'm building a cathedral." This parable can be analogized to our own situation by having a traveler come into our library on a typical afternoon and ask three students what they are doing. The first might answer that he is briefing a case, the second that he is reading a lawbook, but the third who is similarly studying responds, "I am preparing myself for a career in the law."

The legal profession is singularly different from nearly every other occupation or profession in that a lawyer is constantly expected to exercise his professional responsibility—not the Col. Garraty's third year kind of professional responsibility, but rather the ability to take control, to fill the breach, to lead the community in its many civic, charitable, business, and public service endeavors.

To prepare oneself to fill the role of being an attorney—as opposed to being a contract drafter, or will writer, or criminal defender—it is imperative, I believe, that we all fully immerse ourselves in the law—in all its aspects.

We attend a *law center*, not merely a law school, and the difference is more than the choice of words. The student who thinks that his legal education is a 10:00-12:00 and 2:00-3:00 proposition is kidding himself and harming his career.

With a constant eye toward achieving the best possible average you can and getting the highest quality "book-learning," I urge each of you to investigate a legal fraternity, join the American Law Student Association, participate in Barrister's Council arguments, and give some time to our Legal Aid Society. If you are so inclined you might also want to look into participating in the Student Bar Association. Our programs range from the social to the academic, the administrative to the creative. In our effort to promote an atmosphere of professional responsibility we are not limited by the bounds of traditional S.B.A. or student government functions. The sky is virtually the limit and I invite you all to join with us.

Take the first tentative steps toward participation by talking to those who do. Change your college attitude about limited participation and unlimited Johnny Carson. For the three years that you are here, don't merely get a one-sided view of the legal profession. Begin now to build your own cathedral.

Dialogue Whose Number One?

By Ward Hamilton

Which is the best law school in the country, anyway? Georgetown, or one of those others? It's a frivolous question, of course, but it did come up the other week in *The New York Times Magazine* of October 2, in a letter from James P. Timony, of Dayton, Ohio, a loyal Georgetown Alumnus. Mr. Timony attacks Victor S. Navasky, author of the article, "The Yales vs. Harvards (Legal Division)" (in the September 11 issue), for asserting that the "consensus" has ranked Harvard as the best big law school, Yale the best little school, with Columbia, Stanford, Michigan, Pennsylvania, Chicago, N.Y.U. and Berkeley as also rans.

"As any lawyer who graduated from the Georgetown Law Center could inform Mr. Navasky," continued Mr. Timony, "such a proffer would be inadmissible in a court of law, being a mere conclusion and opinion for which no proper foundation has been laid, constituting rank hearsay, and undoubtedly springing from self-serving sources who, if presented for cross-examination, would be impeached for their manifest bias." Our alumnus was clearly well set up by those two required semesters of Evidence.

Put Down

He was bowled right down by Mr. Navasky, though, who pointed out that his hearsay was admissible as pertaining to a question of reputation when tended by experts. Mr. Navasky is a graduate of Yale Law School, where they make a big thing of studying the exceptions to rules. At present he is the editor of *Monocle*, "an occasional journal of political satire," and is writing a book on the Attorney Generalship of Robert F. Kennedy, a graduate of another school left out by the "consensus", The University of Virginia Law School.

The subject of Mr. Navasky's article was the controversy between Yale and Harvard as to which school taught the law best. Yale made its reputation in the 30's by attacking the logical school of law, personified in those days by Professor Joseph Beale of Harvard. Foremost among the iconoclasts of the "realist" school was Yale Professor Jerome Frank, who called "Bealism" a search for an unrealizable "Platonic" certainty in the law, and said it was characterized by "the childish need for an authoritative father."

Stereotypes Challenged

So Yale came to stand for a sociological approach to the law and Harvard, a traditional-minded factory to produce attorneys. These stereotypes were never very accurate, and today there is an interaction between Yale and Harvard which blurs the distinction considerably.

Item: Oliver Wendell Holmes, the first of the great "realists" of the law ("The life of the law has not been logic.") was a Harvard grad.

Item: Yale has five young Harvard trained lawyers teaching there now, along with the iconoclasts of the 30's, which led a Yale professor to note that "the Yale Law School's faculty is made up of old Turks and young fogies."

Item: Harvard's Dean Griswold said, "The difference between Harvard and Yale is that Yale talks about it and we do it." He went on to list the socially engaged activities of his school, saying, "Whatever you want to call it,—functionalism, sociology—you name it, we dot it." Which prompted Yale's Dean Pollack to reply, "I am delighted to hear that we have stimulated Harvard to carry forward the tasks of legal education."

Where does this leave Georgetown? Not as large as Harvard (1800 students), nor as small as Yale (662), Georgetown (1,300) nevertheless has roughly 270,000 fewer volumes in its library than Yale, and 1,000,000 fewer than Harvard.

ORGANIZATIONAL MEETING

For The

GEORGETOWN LAW WEEKLY

Time: Monday, November 7 at 3:00 P.M.

Place: Activities Room in the Rear of the Student Lounge

Delassment-In And Around Town

DRAMA

by Tom Hood

Arena Stage - "Macbeth", through Nov. 27. Always a fine performance. Rich surroundings.
National - "I Do, I Do", with Mary Martin and Robert Preston. Through Nov. 5.
Catholic University - "Ondine", by

Jean Giraudoux. Fable about water-sprite who captures a Knight. Presented by area's most distinguished drama department.
"Well worth your while" Coe, Post. Through Nov. 5.
Georgetown University - "The Roar of the Greasepaint-the Smell of the Crowd". Anthony Newley-Les-

lie Bricusse musical. Stage One-theatre in the round, 3620 P St., N.W. Through No. 5.
Washington Theatre Club - "The Knack", Ann Jellicoe's comedy about contemporary London. Through Nov. 6.
Theatre Lobby - "The Play's the Thing" by Moliere. Located in

St. Matthew's Ct. off Rhode Island Ave. near Connecticut. Intimate. Beginning Nov. 3 through Dec. 3.
Center Stage (Baltimore). "The Death of Bessie Smith" and "Benito Cereno". Much the same as Arena Stage.

patience. For assurance, pick them up in person 8:30 a.m. Monday at Hayes Concert Bureau."
 *NOTE: These performances are always broadcast. No quarter is given to the tardy. They begin precisely on time. Allow Fifteen minutes.

CONCERTS

National Symphony - Tues. and Wed., Nov. 8 and 9, 8:30 p.m. Christian Ferras, violinist. Creston (Washington premier) Mendelssohn Concerto in E minor Nielsen Symphony No. 4 \$2:50 - \$4.50.
 Sunday, Nov. 13 - 3:00 p.m. Wilhelm Kempff Beethoven Piano Sonatas op. 27, 26, 90, 111. \$2.00 - \$3.75.
 Saturday, Nov. 12 - 8:30 p.m. Munich Chamber Orchestra, Hans Stadlmair, Conductor. "First-class musicians . . ." Paris Tribune.

Phillips Collection - 1600 - 21st St., N.W. Sunday No. 6, 5:00 p.m. Saxophone and piano recital. Monday, Nov. 7, 8:30 p.m. Son recital. Louise McCellan (mezzo soprano). Sunday, Nov. 13, 5:00 p.m. Du piano recital. Come early to insure seats.

JAZZ

Bohemian Caverns - Eddie Harris through Nov. 14, after Willie Bobo.
Showboat Lounge - Charlie Byrd and Trio, opening Nov. 7 through Dec. 5.
Blues Alley - Helen Merrill through Nov. 13. Buck Clayton a Dickerson, Nov. 14 through 25. Marge Dodson, Nov. through Dec. 10.

OTHER

Shoreham Hotel Blue Rm. - "Downtown" Clark through 5. Four dollars cover char person for this. Also, din- servations required.

FILMS

Janus Film Society - Midnig urday, Nov. 5, 11:30 a.m day, Nov. 6. "Vivian" by Bruce Conner "Rosebud" by Mark Sada "Bed and Sofa" by Abram Depicts a menage-a-trois Moscow housing shortage '20's. "Riverwindows" by Bob Gorgecus.

Alums in News

In the spotlight recently as a result of judicial appointment and political campaign are two distinguished alumni of The Law Center, The Honorable Timothy Murphy and Mr. Arthur Marshall.

Seeking another four-year term as the State's Attorney from Prince George's County, Md., is Arthur Marshall. His accomplishments and activities are numerous. He was decorated in the Korean War and honored by the Junior Chamber of Commerce as a "OUTSTANDING YOUNG MAN IN AMERICA." When he first ran for office in 1962, there were no full-time lawyers in the State's Attorney's Office; now Mr. Marshall supervises a staff of five full-time prosecutors. The incumbent is currently the Vice-President of the Maryland State's Attorneys' Association. He and his wife, both members of the local Young Democrats, live with their four children in the Clinton, Maryland.

Mr. Timothy Murphy, a 1954 graduate of the Law Center and current part-time instructor, is the newly appointed Associate Judge of the U.S. Court of General Sessions. From 1960 until his recent presidential appointment, Mr. Murphy served with the U.S. Attorney's Office, first as assistant in the Criminal and Appellate Divisions and then as Chief of the U.S. Attorney's Office, Court of General Sessions. Prior to 1960, he was attached to the General Counsel's Office of the National Labor Relations Board. A Major in the Marine Corps Reserve, Judge Murphy is married and the father of three children.

Moot Team Picked

Curtis Smothers, '67, Md., Tony Batelle, '67, N.J., and Bob Craft, '68, Tex., were chosen to represent the Law Center in the 17th Annual National Moot Court Competition. The three were selected from among fourteen candidates on oral arguments presented before Professors Bernard R. Burris, Raymond E. Gallagher, and John R. Schmertz, on September 20.

Regionals Begin Tuesday

Regional competition will begin on Tuesday evening, November 8 at 8:00 p.m. at the Court of General Sessions, when the Law Center team argues against The American University. The other schools in this same region are Howard University, Catholic University, George Washington University, and the University of Maryland.

The winner of the regional contest travels to New York in early December for three solid days of debate against the champions of the nation's fourteen other regions. Smothers, Batelle and Craft were all Beaudry Cup finalists during their first year at the Law Center. Their advisor for the tournament is Professor John G. Murphy.

Three Man Teams

All teams in the National Moot Court Competition consist of three

Movie Review *Diabolique*

by Alan Feldman

Screenlay by Henri-Georges Clouzet and G. Geronimi based on a novel by pierre Boileau and Thomas Narcejac, reduced and directed by M. Clouzet. Running Time 106 minutes At the Puont.

For those who were too young or too queasy to see Diabolique when it first was released a decade ago, the Duont theater will be delighatde to help revive those chills and goose-bumps you thought you lost in your youth. The winner of the 1955 New York Film Critics award for Best Foreign Film of the Year, Diabolique is a two hour entertainment filled wieh eerie surprises, a touch of the fantastic, and an ending calculated to make you leave the theater numb.

The film opens in usual enough style; it is set against the French countryside at a boy's school, where all the main characters are teachers. The headmaster, played by Paul Meurisse, is a sadistic fellow inclined to make both his wife and his mistress objects of his cruelty. Women are not likely to treat such behavior lightly, though, and the two pretty ladies find in their shared hate a strange comaraderie. They decide that an early grave for this countryside Don Juan is the proper remedy. In best—horror show fashion, they do away with our villain, and then "sit tight" waiting for his body to be found.

What happens though when the next day his suit is sent back pressed from the laundry? Or when, just as mysteriously, a retired detective turns up, volunteering to find the missing husband? Or when a small student swears that the headmaster has punished him? Is the husband really dead, or has he come back from the grave to haunt his murderers? These riddles are explained in the end, but one will have to see the picture for full details.

The performances of Vera Clouzet as the sickly wife, Simone Signoret as the icy mistress, and Meurisse as the husband are deftly handled. The straight-forward black and white photography and the lack of melodrama music all serve to increase the suspense. Because of the surprise ending, it is a picture one can't see twice, as this viewer did. But if you've never seen it, its one not to miss.

men, but only two men participate in any given argument. Each team is required to argue both sides of this year's question—an involved problem dealing with the protections offered by the Fourth Amendment against wire-tapping by the police. The three Law Center representatives were also required to file a lengthy brief according to the specifications of the United States Supreme Court. Bob Craft, the only second year man among the three, was also one of only two of the original fourteen candidates to argue the case for the appellee during the September 20 presentations.

The National Moot Court Competition was sponsored this year as always, by The Young Lawyer's Committee of The Association of the Bar of the City of New York.

CLASSIFIED ADS

FOR SALE—Hart Metal Skis 6'9" (ideal for anyone 5'7" to 5'11") \$60. Call Paul 547-6494.

PAPERS TYPED—Call EM 3-3690 after six.

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BARRISTER—Fr. P. 1

The one question to be used this year by second year students was issued this week and is available through all Law Club Presidents. On November 2, at 12:00 p.m. in John Carroll Auditorium, Professor Schmertz will meet with all interested advocates to discuss the appellate briefs. These briefs are to be submitted by December 1, and the first round eliminations will begin on December 9.

D. C. CRIME—Fr. P. 1

Evidence Admissible

Title I of the bill allows police delay for up to six hours the presentment of an arrested person to a United States Commissioner, and that evidence obtained during that period is not inadmissible because of the delay.

The memorandum finds this provision to be inconsistent with the latest cases handed down by the U.S. Supreme Court and, inasmuch as it repeals the Mallory rule only in the District of Columbia, it is a denial of equal protection.

II of the bill drastically changes the insanity test for the courts. It substitutes a test on the model penal code of the American Law Institute and shifts the defense of insanity from a negative to an affirmative one.

The memorandum argues, however, that it could be interpreted as placing upon the defendant the burden of proving insanity instead of the prosecution's burden of proving a lack of sanity beyond a reasonable doubt, as is presently the case.

III allows a police officer to "detain" for up to four hours a person whom he believes is committing or has committed a crime. Under the present provision, the memorandum is also inconsistent with the best decisions of the U.S. Supreme Court, and for an officer to do so would run counter to D.C. statutes which seem to require an actual arrest where the cause of a suspect's detention is established.

The title presumably would also allow an officer to arrest a person in a misdemeanor, without having observed its commission. Under present law, this is only in the case of a felony.

IV would allow police to "detain" a person "material and necessary" without post bond. It also allows a witness to be detained for up to six hours before being taken before an official to have his bond set.

The Greenhalgh memorandum says that this provision authorizes a "virtual drag-net process of investigatory custody."

Title VI, which increases the minimum sentences which a court can mete out for certain felonies, will seriously affect the administration of justice, the memorandum says.

This will clog the courts by reducing guilty pleas, result in fewer convictions by petit juries, and cause grand juries to refer more cases to General Session for trial because of a hesitancy to indict under the harsher statutes.

SBA Touch Football Results

(as of October 29)

Eastern Division				Western Division			
Team	W	L	T	Team	W	L	T
Hot Dogs	3	0	0	Joy Boys	3	0	0
Estoppers	2	1	0	Mustangs	3	0	0
Frosh	2	1	0	Choses-in-Action	2	1	0
Gaghan's Heroes	1	1	0	Cougars	1	2	0
Lobbers	1	1	1	Fubar A. C.	1	2	0
Red Dogs	1	2	0	Matt Kanes	1	2	0
Remaindermen	1	2	0	Quasi-in-Rems	1	2	0
Hairy Hoots	0	3	0	Good Guys	0	3	0

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