

TELL TALES

"One Man Plus The Truth
Constitutes A Majority"

BY JACK TELL



(Continued from Page 1)

been commented upon by Price and Digilio. We find the charges made in the columns, 1) false, 2) grossly exaggerated and 3) wholly out of concept to the decisions rendered.

Digilio's column of April 26, is headed: "His Highness In The Lower Court." It goes on to state:

"Justice of the Peace Robert Reid is overwhelmed with his importance. He no longer acts like a jurist, but like an emperor. He waves aside both laws and attorneys like a Caesar from the balcony not a judge on a bench. If his decisions were not so important his actions would be considered comical."

No where in the transcript do we find anything resembling this description by Digilio. We cannot account for tones of voice or gestures, because we were not there, but the evidence certainly disputes Don's interpretation.

It was a case in which the deputy district attorney made a motion to dismiss the complaint, because of a concurrent Grand Jury indictment against the defendant.

Two members of the Public Defender's office were representing the defendant. One, Brian Greenspun made no objection to the motion to dismiss. The other public defender, Stewart Bell, complained it was unfair for the State to take "a dual line of prosecution."

Digilio's column continued:
"(Justice Reid) ordered Dist. Atty Roy Woofter to his court where they argued a point of law."

The point of law was whether it was proper for the D.A. to bring a case to Justice Court where a Grand Jury indictment had been handed down.

The column went on:
"They argued until Judge Reid figured his valuable time could no longer tolerate a mere district attorney."

There is absolutely no credence to this observation. The discussion concerned a legitimate difference of legal opinions. This phase ended with Woofter stating he will call another staff meeting.

Justice Reid then stated: "Mr. Woofter, as long as you are here---other matters I want to talk to you, --- the filing of complaints on vagrancy prowling---and soliciting ordinances. Those have been declared by this Court to be unconstitutional--- yet I continue to get complaints."

From Digilio's column: "At one stage he (Reid) used the word IDIOT when talking to the D.A."

From the official transcript: "By Judge Reid:---anybody who says this Court has no jurisdiction to decide constitutional questions is an idiot---" By Woofter: "Well, then you better call our office an idiot---" By Reid: "Just a moment. I am telling you what the Supreme Court said in a particular case."

If there is anything in this discourse that is discourteous, or improper for a jurist in courtroom, we do not see it.

Digilio's column: "For a second it looked like the judge wanted to shout OFF WITH HIS HEAD. In a way that is what he did because Woofter said, 'I don't feel I can bring cases to your court.' (Reid): Then that will be the order of the day---"

Digilio continued: "Childish? I would say so. Here we are with the courts overloaded and we have a justice of the peace making it the order of the day that the D.A. no longer present him county cases."

With all respect for Digilio's view, we maintain Justice Reid's ruling is, in effect, exactly opposite to what Don contends. Here is what Public Defender Bell said for the record, concerning the initial case: "--- all we would like to do is get the situation straightened out so we don't prepare the case and find it is a waste of time. It is a waste of time on everybody's part---. ---it involves all County personnel and County money."

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"DUNG" GATE IN JERUSALEM

the overthrow of the Government of the United States of America or of this Commonwealth by force, violence, or by any illegal or unconstitutional method." To the ramparts, men and women; our flag is tilting.

So it isn't enough now to have our dear-won civil liberties threatened by Dossier Dictatorship (with 25,000,000 Americans spied upon by their own government). Nor is the well-financed FBI practice of employing informers and infiltrators sufficient to keep the walls from tumbling down. Wirtapandeevesdropgnaw insidiously at our guaranteed freedoms. Four stalwarts of the Supreme Court now see nothing more than an innocuous little verbal exercise for government employees when they are obliged to promise not to be ugly about their government.

It is noteworthy that neither Justice Lewis F. Powell nor William H. Rehnquist, the two most recent appointees to the Nixon Court, participated in this disquieting decision. Who can doubt that if they had taken part, they would have added their names to the majority opinion? And which of us, dearly loving our life and liberty-giving federal and state Constitutions, can fail to be depressed by the fact that the dissenters in this important case---Justice William J. Brennan Jr, William O. Douglas, and Thurgood Marshall---represent a rapidly-diminishing breed of guarantors of our sacred liberties?

The current, mounting roar of disapproval of America's deeper involvement in the Asian war has put into question the loyalty of some who have resorted to grotesque and abrasive ways of showing their objection. Are they trying to overthrow the government? What then of some of our most rigid national lawmakers and military; and who, in asserting they love their country and want only to defend it, seem now to many of us to be endangering the safety of the land by tempting nuclear war? Can not one man's loyalty be his brother's flirtation with national atomic destruction?

Or think for a moment of two of our most revered American heroes, Washinton and Lincoln. The former was disloyal to the British Crown in his day and probably would have been hanged had he failed in his use of "force, violence and illegal method," as a leader of the American Revolution.

Lincoln, addressing Congress in 1848, said something which probably would give Justice Burger, Blackmun, Stewart, and White a real start were they to recall it now:

"Any people anywhere being inclined and having the power have the right to rise up and shake off the existing government, and form a new one that suits them better. This is a most valuable, a most sacred right---a right which we hope and believe is to liberate the world. Nor is this right confined to cases in which the whole people of an existing government may choose to exercise it. Any portion of such people that can may revolutionize and make their own of so much of the territory as they inhabit."

L.V. COMBINED JEWISH APPEAL

How to Handle Skyjackers

The recent hijack of a Belgian Sabena airliner enroute to Tel Aviv by four Arabs was a doubly novel phenomenon. The Prime Minister, Golda Meir, likened the resolution to a movie scenario and in fact, it resembled one in which the good guys won out over the bad guys.

But it required an action other countries and authorities hesitate to take. Elsewhere when ransom is demanded, it is usually supplied and the hijacker disappears. The technique in the United States is to try and get the criminal after the deed when the people and plane are released unharmed. It is hard to determine whether generally, prime consideration is for the person as well as the property. Israel would have had to make good the loss of the plane, but it would have been a comparative pittance, against the loss of lives and even the possibility of freeing Arab prisoners. Most hijacks are financial projects. Perhaps because this was also so political, striking at a basic security of the country, that Israel decided to act as it did. Most hijacks of this nature are purely financial.

Nevertheless, the action was heroic for the Israeli paratroopers disguised as mechanics as well as for the passengers. It is no easy lot to be trapped in a plane by four people with deadly intent and who is to know in advance they do not mean their intent. The soldiers knew they could get killed but did their job. It is questionable whether the pattern established by Israel will be accepted elsewhere. After it was over, the world breathed a sigh of relief and gratification just as it did after the six day war.

Israel it seems is more than the land of milk and honey; it is a country of small miracles.

Do You Hereby Swear?

BY ROBERT E. SEGAL

The legacy of Senator Joe McCarthy is not completely spent after all. It is alive and tossing around in a recent, significant 4-to-3 ruling of the Supreme Court.

Chief Justice Burger and three of his colleagues---Justice Harry A. Blackmun, Byron R. White, and Potter Stewart---have regrettably overruled a three-judge Federal Court by upholding a gratuitous and unnecessary loyalty oath, required of all public employees in Massachusetts since 1949.

The Bay State oath comes in two parts, with nothing unusual for openers. An employee simply has to give assurance that he will uphold and defend the Constitution. Insecure about such an avowal, the state legislators insisted that people working for the Commonwealth recite this additional promise: "I will oppose

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