Whipping Judges Defend Sentences

'Every Home Needs a Woodshed'

By BARNEY SEIBERT

Jailing lawbreakers only "festers criminals," the whipping judge of Wilmington, Del., believes.

"All I know is, physical punishment seems to work," the spanking judge of Whiting, Ind., maintains.

"It's a better lesson than just being fined," insists the justice of the peace at Woodstock, Ill., who ordered five teen-agers to remove the trash from along 150 miles of highways.

They were among a small but growing minority of jurists who are outflanking the constitutional prohibition against "unusual" punishments.

Municiapl Judge William Obermiller of Whiting believes there is nothing unlawful about unusual punishment so long as the recipient accepts it willingly. The recipients' other choice is generally a heavy fine or a long jail term.

This Summer Obermiller ordered a group of underage drinkers to work off their excess energy scrubbing floors at the Whiting city hall. Teenagers caught stealing hubcaps were put to work manicuring the public library's lawn.

"Last year we had 50 arrests over the 4th of July weekend," Obermiller says. "This year we had one.

"Apparently, the word got around."

In 1962 following a series of arrests at Whiting's Lake Michigan beach, Obermiller ordered public spankings, beach clean-up details, shaving of duck-tail locks, essays on the Constitution and Declaration of Independence; and book reports on the "Decline and Fall of the Roman Empire."

"Every home needs a woodshed," Obermiller days.

He adds that if parents won't spank their children, authorities must.

Superior Court Judge Stewart Lynch of Wilmington, Del., probably would agree with Obermiller.

Lynch resurrected a 268-year-old law and sentenced a man to a 20 lashes with a cat-o'-nine-tails and 25 years in prison for a mugging.

A youth was sentenced to 20 lashes for violating probation for auto theft. Execution of that sentence awaits an appeal to the U.S. Supreme Court.

Lynch says "Institutionalism is only to keep bad dogs off the street. It doesn't do any good. I want to punish.

"Somebody should think of the victim, not the criminal."

A like thinker is Justice of the Peace Joe Ritter of Woodstock, Ill., who contends, "levying fines on teen-agers only penalizes parents."

Last Christmas, five teenage boys were hauled before Ritter on charges of beer drinking. He sent them out to collect empty beer cans discarded along highways in McHenry County, northwest of Chicago.

Two weeks later, the five returned and presented Ritter with 1280 empty beer cans.

But their penance was not complete.

Ritter made them sort the beer cans by brand and write essays on "Why teen-agers drink."

Juvenile drinking dwindled in McHenry County, Ritter said.

In the same rank is Judge Walter G. Tanner of Muncie, Ind., another advocate of razor strap persuasion.

Last Spring a 19-year-old youth was brought before Tanner on charges of beating his mother, chasing his sister out of the house, and assaulting a policeman.

Tanner handed the youth's father a leather belt and told him to take his son to another room.

"Pants down, and I want to be able to hear it out here," the judge ordered.

He heard it.

Judges J. Sydney Hoffman of Philadelphia and Anthony Champa, of Shelbyville, Ind., believe there is nothing like good, honest labor to deter wrong doing.

Superior Court Judge Champa ordered a 16-year-old ambulance thief to give the ambulance two waxings.

City Court Judge Hoffman gave Arthur J. Brookes, 16, the option of reform school or taking a $2 an hour job as a hod carrier. Hoffman specified that Brookes pay half his wages for the next five years to the family of a printer who lost a foot when he was struck by Brookes' car. Brookes took the job.

A week later, when Brookes proved physically unable to carry heavy bricks, Hoffman agreed to let him take a lower paying job as a car washer—providing he turned over three-fourths of his earnings to the printer.

Hoffman's aim in handling juvenile cases, he said is to "rehabilitate the children and provide some security, some safety and some benefit for the public, too."

County Judge Sid Caillavet of Orange, Tex., considers ridicule an even more effective weapon against juvenile offenses.

Teen-age boys brought before Caillavet are ordered to wear girls' dresses for 30 days. Parents are warned they will be jailed if they allow the youths to take off the dresses.

Caillavet said he learned the punishment from his mother. "It sure worked on us," he said.

Ritter considers the crowning accomplishment of his unusual punishments came this Summer.

Three boys and a girl were brought before him for possessing beer. Ritter fined them $100, but agreed to suspend the fine if they would work two weeks at a clinic for crippled children.

The four labored at the clinic, painting and making minor repairs, until their sentences were completed. But they continued to report to the clinic afterward.

Three of them staged a picnic for 35 of the handicapped children from the clinic. They also launched a fund raising drive.

"It's a better lesson than just being fined," one of them told Ritter.

Fall Luncheon

Fall luncheon meeting of the Council Club of the Massachusetts State Federation of Women's Clubs will take place Tuesday at the College Club, 40 Commonwealth av., Boston. Miss Estelle G. Marsh, founder, will be guest of honor. Speaker will be Mrs. D. Talmadge Erb, vice president of the Women's Auxilliary to Morgan Memorial on the subject, "Boston — Old and New." Mrs. Chester A. Merrifield will preside.

day.

Journal July 3, '73

DeCiantis OKs Giving Youth to Adult Court

Family Court Judge Michael DeCiantis, who has been recognized by the U.S. Supreme Court for his stand against transferring supposedly incorrigible juveniles to adult courts, yesterday granted the first such transfer of his career.

A judge since the court was formed in 1961, he granted the waiver of a 17-year-old youth charged with raping and slashing a 14-year-old girl in Providence last May.

The youth's lawyer, Rep. Anthony S. DelGiudice of Providence, told the court he would file an appeal with the Rhode Island Supreme Court.

The waiver was sought by Providence police on grounds the youth was beyond the scope of rehabilitative measures available to the juvenile court. It was brought out under questioning by prosecutor John Capello that the youth has a record of convictions for robbery, larceny, statutory burning, assault and other offenses going back to the age of 12.

This record, said Judge DeCiantis, "speaks for itself" as to whether the youth can be helped by Family Court.

"What is striking to me" in the case, the judge said, is the use of a knife. Whether or not the wounds were superficial, he said, "the intention and attitude of holding a girl and using a knife on her throat is about as bad as anything I know of," he said.

"He was a potential killer and he's lucky," Judge DeCiantis declared.

The girl presented her side of the episode two weeks ago, when the first hearing on the waiver request was held. She received 16 stitches for a neck wound and seven for a side wound, she testified.

Despite her injuries, however, she took a shower, slept for several hours, had breakfast and then — about seven hours after the attack — went to a hospital for treatment, she said.

The youth, testifying yesterday for the first time, said he met the girl in a Providence nightclub about 11:30 p.m. and then left her off at her cousin's house sometime after 4 the following morning.

He was alone with her for about 45 minutes during that time, but they were walking from Cranston Street to Broad Street and he never even held her hand, he said. He denied making any kind of assault on her.

At the end of the yesterday's hearing, Judge DeCiantis granted Mr. DelGiudice's request that the youth be held at the Rhode Island Training School for Boys rather than at the ACI to await the outcome of the Supreme Court appeal.

In a 1968 decision that later was noted by the U.S. Supreme Court, Judge DeCiantis wrote: "This court has often felt that the waiver of a juvenile to another tribunal is absolutely wrong. Who is the judge that can decide whether they can or cannot be rehabilitated? Who is he that possesses such prophetic power? Who is he who is so all-knowing?"

PJ 6/26/1973

Youth's Record Cited At Waiver Hearing

By HAMILTON ALLEN

A 17-year-old Providence youth who allegedly raped and slashed a 14-year-old girl last month has a record of six convictions for crimes dating back to when he was 12 years old.

The youth's record was brought out in Family Court yesterday at a hearing to waive him out of juvenile courts and into adult courts.

The information emerged in questioning by prosecutor John Capello who argued that in a waiver hearing a youth's record is relevant to the court's decision.

Defense lawyer Anthony S. DelGiudice had contended that "the facts of this incident (the alleged rape and assault) are the only thing before this court."

Judge Michael DeCiantis allowed the youth's previous record read into evidence provided it contained only his convictions and no material in which he was only charged or brought in by police on suspicion.

Juvenile waivers usually are requested when a youth is considered beyond the reach of juvenile programs and remedies available to Family Court.

Detective Raymond Savickas of the Providence Police Juvenile Bureau, answering questions from Mr. Capello, said the youth was first brought to court in 1968 on a charge of simple assault, for which he received a probation term.

Since then, convictions or guilty pleas have resulted from charges of statutory burning, robbery, larceny and a charge of assault that had been reduced from a charge of attempted robbery, the detective said.

Another charge of attempted robbery was to have been dismissed if the youth stayed out of trouble, he added.

The youth has steered clear of convictions for more than a year, the detective said. The alleged rape and knife attack took place on Sprague Street, Providence, Detective Savickas testified.

Introduced into evidence yesterday were a police photograph which the detective said showed a six-inch spot of blood on the ground at the Sprague Street location and a knife he said was found on a nearby roof.

Coat buttons, an earring and a hair barret were found on the stairs of the building where the episode allegedly occurred, he added.

The 14-year-old girl, continuing testimony she began last week, said that after the rape and knifing, the youth told her to tell her relatives that she was attacked after he dropped her off.

Judge DeCiantis denied a motion by Mr. DelGiudice to dismiss charges. He then continued the case until next week.

Attempt to Hang Teacher Denied by Three Students

Three students at a special Providence school program pleaded innocent in Family Court here yesterday to charges of assault in connection with an alleged attempt to hang a teacher in a classroom two weeks ago.

The youths, ages 16 and 17, are students at the Providence Experience Community, a program for potential dropouts held at the John Hope Settlement House on Burgess Street in the West End.

Police said the three were involved in an episode in which David Bell, 49, a teacher in the program, was threatened by a student with a knife. The student turned to a friend and said, "Let's hang him," police quoted Mr. Bell as reporting. A student tied two belts together and threw them over a heating pipe while another student forced Mr. Bell to stand on a chair, the police report stated. The students then tried to wrap the belt around Mr. Bell's neck but could not tie it, and then let him free, police said.

Mr. Bell told police he then left the settlement house building and that as he walked to his car, objects were thrown at him by the students. He was unable to start the car and found later that ignition wires had been pulled out. The students then piled out of the building and began rocking the car, trying to tip it over with Mr. Bell inside it, police said.

In Family Court yesterday, Judge Michael DeCiantis set trial for the three youths in September. All three have been charged with simple assault.

One of the youths was cleared of a companion charge of assault on Kenneth C. Scott, another teacher in the program. Mr. Scott took the witness stand yesterday and told the court he did not wish to testify.

Judge DeCiantis read a letter from Randall Ward, coordinator of the special program, describing the three youths as persons who had changed during the past school year from "turnedoff, anti-social individuals to young men who have assumed responsible roles in their community."

Each of the boys, Mr. Ward wrote, "has made progress which we all would hate to see reversed by a single unfortunate incident." He urged the court to support them "in the positive strides they already have made."

It is with this kind of youth that the Providence Experience Community has concentrated its resources and services' Mr. Ward said. PEC has found itself "almost alone in the role of confidant and advocate in their behalf," he added.

James Kilpatrick

Other Scandals Not Material To Watergate

Washington — To judge from the mail crossing my desk, many unwavering friends of Richard Nixon—he still has several million—are relying on an understandable but embarrassing defense in this Watergate mess. It is the defense of so's your old man.

It goes to this effect: Roosevelt, Truman, Eisenhower, Kennedy, and Johnson all suffered from scandals, improprieties, or blunders in their administrations. Roosevelt let the government get riddled with Communist cells. Truman had troubles with the five percenters. Eisenhower, who promised to clean up the Truman mess, had a problem with Sherman Adams. Kennedy blundered with the Bay of Pigs. Johnson had Bobby Baker. And the plaintive point is made: Nobody ever spoke of impeaching them.

My beloved colleague, Bill Buckley, editor of *National Review*, recently bounced twice on the springboard of Watergate and dived neatly into the waters of Chappaquiddick. He thought it interesting to compare the spectacular leaks and exposures of Watergate today with the thwarted investigation of Senator Edward Kennedy's conduct four years ago.

Well, with the greatest affection and deference for my colleagues and correspondents, I am minded to say, with respect, and in the kindest possible way: Knock it off. So far as the Watergate mess is concerned, these other

the issue of

Trial of 3 Students Underway

EB 6/26/1973

'Hanging' Incident Downplayed

Three students at a special Providence school program pleaded innocent in Family Court here yesterday to charges of assaulting a teacher in connection with an alleged hanging attempt two weeks ago.

Although the incident originally had been described as an attempt to hang the teacher from a heating pipe in a classroom, it was presented in court yesterday as little more than teenage rough-housing.

The incident was said to have occurred at the Providence Experience Community, a program for potential dropouts at the John Hope Settlement House on Burgess Street in the West End.

In court yesterday, police said a "mock trial" was conducted by students for teacher David Bell, 49, who had turned down a student request to take the class to the beach.

It was determined by the youths that Mr. Bell should be hanged for his "crime" and Mr. Bell apparently got up on a chair, the court was told yesterday.

There was little more to the incident except that Mr. Bell's wife happened to see her husband on the chair with the youths around him and became startled, the court was told. The mock trial is something Mr. Bell has "used in the past as a method for teaching," said Harold Krauss of Rhode Island Legal Services, a defense lawyer in the case.

Mr. Krauss said he believed the episode was "a situation where the classroom got a little out of hand." Another defense lawyer, Walter R. Stone, said that charges against the three youths were not filed until three days after the incident.

Randall Ward, coordinator of PEC, was reportedly unavailable to appear in court yesterday, but in a letter read by Judge Michael DeCiantis, he described the episode as "a single unfortunate incident."

Each of the three youths has changed in the past school year from "turned-off, anti-social individuals to young men who have assumed responsible roles in their community," Mr. Ward wrote.

It is with this kind of youth that the Providence Experience Community has concentrated its resources and services, Mr. Ward wrote. PEC has found itself "almost alone in the role of confidant and advocate in their behalf," he added.

In addition, one of the youths was cleared yesterday of a charge of assault on Kenneth C. Scott, another teacher in the program who took the witness stand and told the court he did not wish to testify.

Earlier police reports of the incident involving Mr. Bell described it as one in which the teacher was threatened with a knife and then forced to stand on a chair while a student tied two belts together and threw them over a heating pipe in the classroom.

The students tried to wrap the belt around Mr. Bell's neck but could not tie it and they then let him free, police had reported.

Mr. Bell was quoted by police as saying he then left the settlement house and as he walked to his car, objects were thrown at him by the students. He was unable to start his car and found later that ignition wires had been pulled out.

The students then piled out of the building and began rocking the car, trying to tip it over with Mr. Bell inside it, police had originally reported.

Primary Looms In Sixth Ward

Robert R. Faella of 172 Roanoke St., operator of a real estate business, announced today that he plans a primary battle to win the Democratic nomination for a vacant city council seat in the sixth ward.

Vincent J. Cirelli of 11 Leah St., who runs the Old Timers Tap on Mount Pleasant Ave., was endorsed for the seat last Thursday night by the Sixth Ward Democratic Committee.

Of six other candidates in the field for the Democratic nomination, at least one, Mrs. Margaret DeFelice of 9 Chaucer St., also has said she will continue her candidacy through a primary battle.

The candidates are vying for a seat left vacant when Anthony B. Sciarretta, former majority leader, was chosen to be the city's new probate judge. No date for a primary or special election has been set yet.

Significant Ruling

Court Times 8-26-74

Court Orders State To Pay For Disturbed Boy's Learning

(First of a Two-Part Series)

Cumberland — A "significant ruling" ordering the state Department of Health, Retardation and Hospitals to foot the cost of educating emotionally disturbed children, and specifically applied to a 16-year-old Cumberland boy, has been handed down by Judge Michael DeCiantis of Family Court.

The court order is the first of its kind in Rhode Island, according to Gerald A. Oster, attorney for the parents of the boy receiving treatment and education at the Behavior Research Institute (BRI) of Providence.

"This ruling is significant," Mr. Oster said, "in that the purpose of the case was to test the adequacy of the education of emotionally handicapped children."

The Cumberland boy, who may not be identified since he is a minor, can be referred to as "Joey Smith." He had demonstrated severe emotional disturbance since childhood and had been handled by several agencies without tangible success. The Town of Cumberland's annual bill for Joey while he is a patient at the BRI comes to $16,000.

The court found that the minor "is an emotionally disturbed child and comes within the provision of the law which imposes the obligation upon the state Department of Health, Retardation and Hospitals."

Furthermore, the court ruled that the state agency must assume forthwith the expense of the care and treatment of Joey, with contribution from the town of Cumberland in accordance with Chapter 40-1-7 of General Laws."

Cumberland's per-pupil cost of education stands at about $900 minimum according to Schools Supt. Robert G. Condon. The town's $16,000 annual payment for Joey Smith is theoretically returned to the community in part in connection with state aid, which in Cumberland is approximately 40 per cent.

Actually, the town's basis for state aid purposes has been disputed, in that Cumberland's yardstick uses a median-income figure, which the school administration has termed inadequate for computing purposes.

Judge DeCiantis ruled also that Joey must continue at the BRI "in accordance with the terms of this decision, until further order of the court."

Reflecting upon the ruling, Mr. Oster opined: "Rhode Island has some very far-sighted laws well thought out and reasonably all-encompassing. The trouble is that the law is not being implemented. But this case now becomes a vehicle for implementation, I believe."

The Behavior Research Institute, directed by Matthew L. Israel, PhD, is a private, non-profit and tax-exempt organization which shortly expects to be licensed as a treatment center by the state Department of Mental Health, the court said. There are some 24 children in attendance, their ages ranging from 7 to 20. "If given continued behavior therapy treatment, the minor (Joey) could look forward to being able to continue his education, to being able to leave the institute and live at home, and to be able to work at a normal job and to live, eventually, in some kind of sheltered, normal living situation in the community," Dr. Israel testified.

In a later comment at the institute, Dr. Israel opined that in some cases reflecting excellent results, patients could well go on to marriage and other normal expressions of a full and meaningful life.

An important part of Joey's program, the court added, "has been the training of his parents to execute the same treatment techniques that are applied in the school."

Until the new ruling, Mr. Oster said, "an estimated 3,000 to 5,000 children had been excluded from any educational opportunities and facilities because of the then prevailing situation." Indeed, without the kind of program that BRI offers, the attorney added, "many youngsters will languish in various institutions for the remainder of their lives."

The actual question presented to the court for determination, Judge DeCiantis said, "is whether or not the state is obligated to provide the care and educational needs, and be required thereby to furnish the funds for such placement for such period as the court may order."

The court observed further that it was "deeply moved and greatly impressed by movies of Joey at the BRI. From a tragic, uncontrollable, non-functioning, violent and unhappy child, in a few months Joey has become by and large a functioning individual, taking pleasure in his accomplishments. The pictures opened broad hope for Joey's future."

Judge DeCiantis also spoke of "dramatic changes produced in Joey as a result of his treatment" at BRI. "These films show a boy who, before treatment, displayed violent tantrums and who, within a month of the start of treatment, had become cool, calm, collected and a cooperative and enthusiastic learner."

It was explained to the court that a comprehensive behavior therapy treatment of this kind requires a very high ratio of staff to children. It is, at BRI, about three teachers to two children.

The court was "very impressed with the progress that Joey had made," adding that "certainly, the cost of the program, $16,000 a year, is worthwhile if it enables a boy who might otherwise have had to live a vegetable existence in a state mental institution for the rest of his life, to have the possibility of learning to function as a normal person and to live and work in normal circumstances."

(Tuesday — Joey and His History.)

New Dimension Given Problem Of Educating Disturbed Children

Pawt. Times 8-27-74

(Second of a Two-part Series)

Cumberland — "Joey Smith," as he must be named, because he is a minor, is probably representative of hundreds — indeed, some 3,000 to 5,000 has been estimated — Rhode Island youngsters who live in a mental twilight because of some emotional disturbance.

Joey, 16, was the subject of a Family Court ruling this month, in which Judge Michael DeCiantis ordered the state Department of Health, Retardation and Hospitals to pay the $16,000-a-year cost of Joey's special training at the Behavoir Research Institute, Providence.

The Town of Cumberland's per-pupil cost for public education is $900 a year.

Joey's situation is typical of those probed by several mental health agencies, including the R.I. and National Autistic Societies, which specialize in the autistic or severely withdrawn youngster. Such children, in the classical throes of the strange condition, simply do not communicate.

And if there is no communication, there is no education, and such children are doomed to permanent retardation.

Judge DeCiantis looked at "Joey Smith's" case and found a handicapped child with a history of instability and inability to fit into any of the many educational settings provided for him by his parents and the respondents in the court case — the Town of Cumberland and the state Department of Mental Health, Retardation and Hospitals.

Made Progress

Joey was placed initially in the BRI for a very short time at the Town of Cumberland's expense, "and made remarkable progress," the court said. But while Joey was elsewhere, before attending BRI, "his educational experience was without effect," the judge added. Indeed, during the period immediately preceding his attendance at BRI, "because of periodic uncontrollability, he was confind at the Medical Center, but neither proper program nor environment was provided for him," Judge DeCiantis remarked.

Joey's parents were then notified that Joey would have to leave the BRI as of Aug. 1, 1974, and an alternative program was proposed. But the parents alleged that the new program was "wholly unsuitable and undesirable," the court observed.

Of stark importance to Joey's parents was their inability to pay for Joey's BRI training, so they filed suit in Family Court.

The court drew attention to state law, which provides that all Rhode Island children are entitled to free public education, and that handicapped youngsters are entitled to special programs.

Thus, the petitioners argued, the responsibility for Joey's education rests with the school committee . . that shall provide such type of special education that will best satisfy the needs."

It was also contended in court that the responsibility for placing a minor in the proper educational setting is placed ultimately upon Dr. Charles Goodman director of the state agency.

Joey's proposed withdrawal from the BRI "is tantamount to a denial of the minor's right to free public education," the court found, and that the termination "amounts to an arbitrary exclusion of the minor from a special education program provided for him by law."

Disturbed Child

Judge DeCiantis made specific reference to Joey, recalling that the Cumberland boy's earlier behavior included refusals to cooperate, striking people and himself, increasingly severe tantrums, "all of which are characteristic of a severely emotionally disturbed child."

Joey had been switched from one special education class to another, the court reminded, "eventually being excluded from public school at the age of 12, and tried out without success at a residential school between 12 and 14."

By the age of 14, Joey could not be managed even in his own home, and had to live in the adolescent ward of the Institute of Mental Health. From 14 to 16, he lived there and received no help at all, the court found.

"If nothing had been done for Joey at that point, he would very likely have been institutionalized for the remainder of his life and deprived of normal employment and enjoyment of living," the judge added.

However, at the BRI, the court learned, "a comprehensive behavior therapy program was applied to Joey and, as a result, he made great strides in eliminating inappropriate behavior, particularly violent tantrums, and proved his ability to cooperate and function normally in a learning situation."

It was also made clear by the court's ruling that the Town of Cumberland had agreed that Joey was emotionally disturbed, and that the community had taken care of the boy for a long time. The town operates a special center, in the former Monastery property off Diamond Hill Road, on a regional basis with four other communities. The town has 10 children there, and Lincoln 6, according to Schools Supt. Robert G. Condon. Cost is $3,600 a year per child.

The town "would continue to pay its share of the education expenses as imposed upon it by law," the ruling shows.

A Pawtucket Times reporter toured the BRI, accompanied by Director Dr. Matthew L. Israel and Gerald A. Oster, Joey's attorney, and spoke to some of the children who, in movies screened earlier, were seen as severely disturbed, expressing themselves in tantrums, screaming, fighting, struggling and throwing objects around.

Completes Puzzle

Joey was there, completing a jigsaw puzzle. He stood up to greet his visitor, asked questions about Cumberland, his home town, described his task at the desk and spoke of the BRI's rewards system for jobs successfully completed.

Then there is B., a pretty young girl who, when she came to the BRI, screamed about 150 times a day, driving most of the other children and staff to distraction. In September this year, B. will enter public high school, and is ready for it, she said.

Then there is J., a 10-year-old girl who was termed autistic or severely withdrawn in her earlier years. Today she can face her visitor, nicely poised, say "Hello!" and count from one to 10.

If the children witnessed first on BRI movies — when they enter the facility — are met some time later in the classroom, working with their peers, the results can only be termed truly dramatic, and the impartial observer is drawn to the conclusion that BRI is doing a yeoman task in rehabilitating these young people.

Of greater importance is the possibility that the Family Court's latest ruling may well open the door to the several thousand other disturbed youngsters who, until now, have been languishing in a mental twilight that the mentally healthy can only speculate about.

7/19/73 Prov Jrn

3 Arraigned On Charges Of Robbery

By HAMILTON F. ALLEN

The last three members of a gang police say was involved in about 30 robberies in southeastern New England were arraigned in Family Court and district court here yesterday.

A 17-year-old Warwick youth and a 16-year-old Providence youth were ordered held at the most secure unit of the Rhode Island Training School for Boys to await trial next month.

Family Court Judge Michael DeCiantis entered innocent pleas for them on a total of 25 charges for crimes in the last four months in Providence, North Providence and Johnston.

Both youths are charged in a series of milk store robberies as well as the $1,242 Providence bank holdup early this month. The Warwick youth also is charged with a string of daytime housebreaks in Johnston in April and May.

Meanwhile, in district court, a third member of the gang, 23-year-old Manuel DeGrace Jr. of 255 Plain St. was arraigned in connection with the bank holdup, which occurred July 2 at the Mayflower Savings and Loan Co., 357 Reservoir Ave.

Judge Corinne Grande ordered him held without bail on a charge of robbery and set total bail of $6,000 on charges of committing a crime of violence while armed and assault with a dangerous weapon. DeGrace is scheduled to go to Superior Court for a bail hearing on the robbery charge.

Other adult members of the gang are said by the attorney general's office to be scheduled for bail hearings today on robbery charges. Like DeGrace, they are being held at the Adult Correctional Institutions.

Degrace turned himself over to Providence detectives two days ago, police said.

Two other juvenile members of the gang, both 15, are being held following Family Court appearances in recent days. One is at the training school awaiting trial, the other is at the state Juvenile Diagnostic Center awaiting a pre-sentence report following his plea of guilty to three counts of robbery.

In the juvenile cases yesterday, the Warwick youth was charged in two Sunnybrook Farm store robberies in Providence last May and June. The Providence youth was charged with three Cumberland Farm store holdups in Providence and North Providence this month.

Both youths also were charged with possession of a 1969 Lincoln stolen last week in Pawtucket and owned by Erich Salomon of 742 England St., Cumberland.

The Warwick youth also was charged with attempted larceny at seven Johnston homes. The homes are those of Anna Perillo of 400 Central Ave., on April 12; Angelo Rossi of 1005 Hartford Ave., on April 16; Albert Centofanti of 100 Simmonsville Ave., on April 26; Armand Muto of 1776 Atwood Ave., on April 30; Henry Forrest of 1136 Atwood Ave., on May 4; Alfred Russo of 120 Simmonsville Ave., on May 11, and Edward Costa of 26 Colwell Drive, on May 22-23.

The youth also was charged with illegal possession of a hallucinogenic drug.

The two were arrested Monday night in a Johnston motel, said Major Leo P. Trambukis, acting chief of Providence police. Police are asking that the two be waived out of Family Court jurisdiction and into the adult courts on grounds that the youths are beyond the scope of rehabilitative services available to the juvenile court.

Journal - 6/27/73

Boys School Escapee Charged With Assault

By HAMILTON F. ALLEN

The first trial of an escapee from the supposedly most secure unit of the Rhode Island Training School for Boys opened in Family Court here yesterday.

The youth, one of the youngest of the group of six who have escaped three times in recent weeks from the school's Youth Correctional Center, is being tried on charges of assaulting two supervisors and robbing one of them of his wallet and car keys. The charges stem from the first escape, shortly after midnight on May 19.

Although he only turned 15 last December he is being held in the maximum security section of the Adult Correctional Institutions pending completion of the trial.

Soft-spoken in Family Court here yesterday, he indicated with a nod of the head that he preferred the ACI to the training school. No reason was suggested for his preference.

He is one of six youths remanded to the adult prison last week less than a day after a federal court agreement was announced that youths would not be sent to the ACI. The reason for sending them to the ACI, however, is that the six youths — already veterans of three breaks from the training school — made still another attempt.

State corrections officials conceded that sending the teenagers to the ACI conflicts with the U. S. District Court agreement, but stressed that the situation was an "emergency."

In Family Court testimony yesterday, Steven M. Forman of Warwick, a supervisor at the training school for about a year, said that when he unlocked a door to get a trash barrel two youths grabbed him by the legs and chest and brought him to the floor.

Then, Mr. Forman said, "I was hit on the head twice and I don't remember anything after that." After being unconcious for about ten minutes, he came to and discovered about $75 and the keys to his 1973 Maverick, on loan from an auto firm, both missing from his pants pocket, he said.

Eight of the nine inmates at the Youth Correctional Center also were gone, including the 15-year-old, Mr. Forman added.

Donald J. Franklin, supervisor for about two years, testifying that he had asked Mr. Forman to open the door, said he was "jumped by four or five people" who came through that door. "I was picked up and carried into a room (in the YCC) and locked in there" and didn't get free until 10 or 15 minutes after the escape, he added.

The 15-year-old denied assaulting either supervisor or robbing Mr. Foreman. Rather, he said, he was in his room when he "heard a lot of noise and I got up to see what was happening."

He left the YCC through the already-opened outer door and then through the gate outside the building where he jumped into the back seat of Mr. Forman's car and was taken away, he said.

Assistant public defender Walter R. Stone, who represents the youth, asked for dismissal of the charges on grounds that the youngster was not a principal in the crime but merely took advantage of a crime that already was committed.

Prosecutor Philip Weinstein from the state attorney general's office contended the 15-year-old was as guilty as anyone else in the escape since the entire group was "acting in concert" and therefore all were principles in the assault and robbery.

Judge Michael DeCiantis gave both lawyers until a week from next Friday for the filing of legal arguments on the issue.

Balloon Test Run On Lake Put Off

Elyria, Ohio — (AP) — A balloonist who plans a trans-Atlantic flight next month and his crew headed east yesterday after a planned test flight across Lake Erie was scrubbed because of unfavorable weather.

Clint Laird, spokesman for the group, said winds of 15 to 20 miles per hour forced cancellation of the flight to Canada from the Lorain County Regional Airport near Elyria early yesterday.

He said the group was going to the Lake Erie area near Buffalo, N.Y., and it was hoped that the test flight across the lake could be made Friday or over the weekend. He said meteorologists had informed the group that weather for the flight would be unfavorable until at least Friday.

"What are We Coming to?" P.J. May 16, 1973

'Pill' Use at 14 Ires Judge

By HAMILTON F. ALLEN

The case of a Providence high school girl charged with fornication sparked a debate on sexual values in Family Court here yesterday among a judge, a probation counselor and the girl's mother.

The girl, who stood quietly throughout the hearing, was brought to court under a rarely-invoked state law that makes sexual intercourse — at any age — a criminal offense if outside marriage.

The law, which goes back at least as far as the 1896 revision of the state's general laws, provides for fines up to $10 for adults.

Judge Michael DeCiantis, called the girl's activities "horrible" and, after a stern lecture, placed her on probation for one year. It is the only time the girl has been charged.

Providence police brought the charge after investigating a report at 10 a.m. on a day last month of what police said was a suspicious-looking car at Devine and Seymour Streets — a deserted area off Eddy Street in South Providence. The girl, 14, and a young man, 18, both from Providence, were discovered in the car, police said.

The young man was released by police to appear in district court the following day on a charge of fornication. The case then was dropped by Judge Henry E. Laliberte on payment of court costs, usually a fee of $3.50.

In Family Court yesterday, Zylpha K. Pryor, the probation counselor who investigated the girl's case, also recommended the charge be dropped. With her mother's permission, Miss Pryor said, the girl is using birth-control pills and having sex with her boyfriend, the 18-year-old.

Miss Pryor presented a written report to the judge, describing the girl as an only child from a home in a "clean, middle-class neighborhood." The girl's grades in high school, she said, are "excellent and her teachers can vouch for her good behavior."

The girl's mother, Miss Pryor added, was "quite disturbed that this matter was referred to court."

Judge DeCiantis, however, said he didn't see how sexual activity for the girl is "good for the community or anybody else her age." Even with parental consent, he said, "I don't go for it. A 14-year-old girl taking the pill so she can go out and do this kind of stuff; what are we coming to anyway?"

The girl's mother replied that the boy is active in church, that she knows the boy's family, that her daughter is "very good in school" and "helps a lot at home." The girl, she said, came to her one day and asked her if she could get birth control pills from a doctor, and "I thought it was very nice for her to come up and tell me."

She said she told her daughter that she "couldn't go out with other guys and so forth" just because she was using the pills.

"For her, it happened sooner than I could have wished," but "I thought it was better than if she got into trouble," the woman added. It is important that the girl finish high school, something she might not do if she became pregnant, the woman said.

The girl reached puberty at the age of 10, her mother added, "so I knew she would be more developed" compared to most girls.

Judge DeCiantis said the "bad feature" of allowing the girl to take birth-control pills is that it ends up with "something like this." He recommended that parents "trust" their children, apparently meaning they ought to encourage sexual abstinence, "rather than giving them advice to take pills."

"This kind of activity is horrible," he added. "It was bad judgment on your part," he told the girl's mother.

"It's a bad, bad, bad thing; it's a very bad thing. We're practically cutting down girlhood; that's what we're doing," the judge concluded.

Miss Pryor said after court that she is leaving her probation post to study to become a dentist, but that if she remained the girl's probation counselor she would have the responsibility of exploring the effect of the girl's relationship with the young man, "to see if she is all right."

She said the relationship is probably not going to be detrimental for the girl "unless she is made to think it is wrong." The girl should understand that the pill is not a license to "run around with a whole lot of men," Miss Pryor added.

Charges of fornication are something of a rarity in both juvenile and adult courts in Rhode Island. There are no statistics available for adult courts, but court administrator Walter Kane said in his review of indigent cases over the last three years, "I don't think I've seen more than one. I think you're talking about something with very little frequency."

Journal 5/29/73

morning mail

'Sanctimonious' Judge

This letter is written condemning the actions of the sanctimonious Judge Michael De Ciantis in his playing God and stating "it was bad judgment on the mother's part ingiving her daughter birth control pills". It is ironic that this article came out the same day that Judge Pettine declared the Rhode Island abortion law unconstitutional.

Instead of condemning this woman, Judge De Ciantis should have been castigating his peers in the federal courts for condoning outright murder — the taking of the human fetus. The lowest animal would never condescend to such a level. Yet this same judge would prefer and recommend an abortion on legal terms but denies preventive measures.

What the state and country need is not a pro-abortion constitutional right but the dissemination of more birth control information, especially sex education in our schools and other sources of learning, so that unwanted pregnancy which results in abortion does not occur.

Rather than being the rare exception, as the article states, the truth of the matter is that if the 1896 law forbidding intercourse out of wedlock were rigidly and honestly enforced with a fine of $10 there would be enough money in the state treasury to abolish the infamous state income tax law.

Thomas F. Joyce
Providence

Missed

We miss the column you used to have by Dr. Frederick J. Stare of Harvard, on diet and nutrition. It was a very helpful column.

Mr. and Mrs. L. M. Levin
Providence

5/16/73 Bulletin

Angry Judge Sentences Girl On Rarely Invoked Sex Law

A 14-year-old girl whose regular sexual intercourse with a boyfriend was condoned by her mother, was placed on a year's probation yesterday under a 19th Century law forbidding intercourse out of wedlock.

The case in Family Court triggered a debate between the judge who was angered by the girl's sexual activity, and the girl's mother, who was disturbed that the charge was brought to court in the first place.

"This kind of activity is horrible," said Judge Michael DeCiantis to the girl's mother. "It was bad judgment on your part."

The mother told the judge she knew who her daughter's boy friend was, and that she gave the daughter permission to use birth control pills to avoid an unwanted pregnancy.

"For her, it happened sooner than I could have wished," the mother said, but "I thought it was better than if she got into trouble."

The case resulted from the arrest of the girl and her 18-year-old boyfriend last month by a Providence policeman, who found them in a car in a deserted area off Eddy Street 10 o'clock one morning.

A fornication charge against the young man was dropped in district court by Judge Henry E. Laliberte the following day on payment of court costs, usually a fee of $3.50.

The law, which makes sexual intercourse at any age a criminal offense if outside marriage, dates back at least as far as the 1896 revision of the state's general laws, and provides fines up to $10 for adults.

Walter Kane, state court administrator said that in the last three years "I don't think I've seen more than one (such case). I think you're talking about something with very little frequency."

Miss Zylpha K. Pryor, the probation counaelor who investigated the case, had recommended that the charge against the girl — from a home in a "clean, middle-class neighborhood"—be dropped.

Miss Pryor's report said the girl's grades in high school are "excellent and her teachers can vouch for her good behavior." The girl's mother, Miss Pryor added, was "quite disturbed that this matter was referred to court."

Judge DeCiantis said however even with parental consent "I don't go for it. A 14-year-old girl taking the pill so she can go out and do this kind of stuff; what are we coming to anyway?"

The girl's mother replied that the boy is active in church, that she knows the boy's family, that her daughter is "very good in school" and "helps a lot at home." The girl, she said, came to her one day and asked her if she could get birth control pills from a doctor, and "I thought it was very nice for her to come up and tell me."

She said she told her daughter that she "couldn't go out with other guys and so forth" just because she was using the pills.

"For her, it happened sooner than I could have wished," but "I thought it was better than if she got into trouble," the woman added. It is important that the girl finish high school, something she might not do if she became pregnant, the woman said.

The girl reached puberty at the age of 10, her mother added, "so I knew she would be more developed" compared to most girls.

Judge DeCiantis said the "bad feature" of allowing the girl to take birth-control pills is that it ends up with "something like this." He recommended that parents "trust" their children, apparently meaning they ought to encourage sexual abstinence, "rather than giving them advice to take pills."

"This kind of activity is horrible," he added. "It was bad judgment on your part," he told the girl's mother.

"It's a bad, bad, bad thing; it's a very bad thing. We're practically cutting down girlhood; that's what we're doing," the judge concluded.

Miss Pryor said after court that she is leaving her probation post to study to become a dentist, but that if she remained the girl's probation counselor she would have the responsibility of exploring the effect of the girl's relationship with the young man, "to see if she is all right."

She said the relationship is probably not going to be detrimental for the girl "unless she is made to think it is wrong." The girl should understand that the pill is not a license to "run around with a whole lot of men," Miss Pryor added.

Rhode Island briefs

Block I. Sewers

BLOCK ISLAND — The federal Farmers Home Administration has approved a 30-year, five per cent loan of slightly more than one million dollars to allow this island community to build its first sewer system. Construction will begin this summer.

Office Building

WOONSOCKET — The Marquette Credit Union has a tentative agreement with the redevelopment agency to construct a $3-million office building in the Social Flatlands. No price has been set yet on what the credit union will pay for the land.

Apartment Zone

WARWICK — Mayor Eugene J. McCaffrey Jr. has told the statewide planning agency he intends to create an apartment zone in the city. The mayor's disclosure comes after the state Human Rights Commission criticized Warwick's zoning as excluding blacks and the poor.

Arbitration Due

NEWPORT—The first contract talks in two months between the teachers union and the school committee broke off quickly last night, assuring state arbitration of the long dispute.

DeCiantis Reflects on Early Days As a Young Immigrant in Natick

By JOHN KIFFNEY

Judge Michael DeCiantis of Family Court talked last night about how it was for a boy from Italy to grow up in the mill villages of the Pawtuxet Valley 60 years ago.

The colorful judge described his boyhood to members of the Rhode Island College Ethnic Heritage Project, as he presented the project with voluminous personal papers and some tape recordings which will help scholars to understand what immigrant life in Rhode Island was like.

To Judge DeCiantis, the story is "nothing but the little dramas of struggle and hope for the people who came to this country to make a better life for their family."

The 71-year-old judge told of how in his hometown of Sora, Italy, his mother would daily lead him and his sister to Mass—at 5 a.m. That was a prelude to evening vespers, also attended without fail at 6 p.m.

And he told of how his father and other men in the mill village of Natick were able to put together somehow $1 a month out of their mill paychecks as an offering when they lit a candle to the Blessed Virgin.

"This is corny maybe," the judge said, "but while they did not have education, they did have heart and love—something to make their country strong."

Judge DeCiantis

He described how the large influx of Italian immigrants into Natick soon after the turn of the century were shy about attending the Irish and French church—St. Joseph's—and of how the parish priest coaxed the immigrant children into attending catechism and Sunday schools classes, knowing their parents would follow the lead. The congregation grew until it was strong enough for its own Italian-oriented church, he related.

The judge told of how he missed "Jack and Jill" and "Mary Had a Little Lamb" as he struggled to learn English beginning with third grade in the town "Italian school" on Baker Street in Natick.

The frightening experience of not knowing the language spoken by the overwhelming majority is responsible for the development of Italian enclaves like Natick, Riverpoint, and Federal Hill, he said.

And, he added, the ethnic heritage is "one that we do not forget, one that we are not ashamed of, and one that has contributed more to the makings of this country than any other thing."

The papers, once catalogued, will be available in the ethnic materials collection of the Adams Library at RIC for use by scholars investigating the state's immigrant past. Since Mr. DeCiantis has held many state and Democratic Party posts, including a stint as attorney general in the 1930s, the papers are also said to contain a wealth of material on the state's history.

And, with his judgeship marked by many controversial decisions on family relations, there is also reported to be material relating to juvenile and divorce law.

The papers will join a collection of many other ethnic documents the project has collected. It is looking for more. Any photographs, letters, diaries, ledger books or other material relating to the influence of immigrants on the state would be welcomed by the project.

Journal 5/16/73

An Immigrant's Recollections

Judge Donates Personal Papers

Judge Michael DeCiantis of Family Court last night presented his personal papers —including an abundance of material on how it was to be a young Italian immigrant in West Warwick — to the Rhode Island College Ethnic Heritage Studies Project.

Included with the papers are the judge's taped recollections of his birthplace, Sora, Italy; his memories of the trip to America, the "Italian school" for immigrants in West Warwick; how it was to work in the town mills, and his entry into legal and political life.

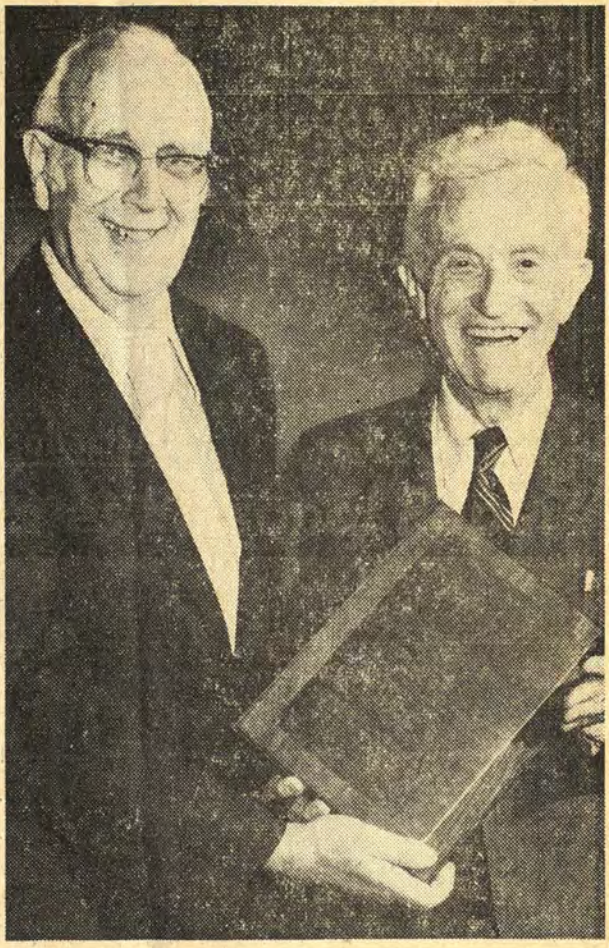
Once processed, the papers will be available to scholars along with the other holdings of the Ethnic Materials Collection in the Adams Library on the RIC campus.

Dr. Charles B. Willard, RIC President, accepted the papers for the college from Judge DeCiantis, who has been on the Family Court bench since 1961.

Dr. Willard presented the judge with a plaque in appreciation of his contribution to the special collection. Judge DeCiantis gave a talk on his boyhood West Warwick memories.

A college spokesman said it is believed the papers will be of interest to scholars in legal theory, particularly in juvenile and divorce matters, as well as to students of immigrant and ethnic history.

Miss Claire Aronson, a Project staff member, said many Rhode Islanders who are either foreign-born or have parents of foreign birth possess materials such as letters, public papers, scrapbooks; photographs, diaries, and minutes of the meetings of ethnic organizations.



Plaque is presented to Judge Michael DeCiantis (right) by Dr. Charles B. Willard, president of Rhode Island College, at a dinner last night.

—Journal-Bulletin Photo

She said that by offering them to the RIC collection, one can assure that these valuable documents are not lost, destroyed, or forgotten.

Dr. Carmela D. Santoro, professor of history at RIC, discussed the DeCiantis papers for the dinner audience. Dr. Ridgway Shinn Jr., dean of arts and sciences at the college, was the master of ceremonies.

Judges Seek a Jail for Juveniles

Boston — (UPI) — Judges from across Massachusetts, including the chief justice of the Superior Court, have told a legislative commission the state desperately needs secure facilities for violent juvenile offenders.

Their plea was made yesterday before the special commission on the care and treatment of children. The state's Department of Youth Services (DYS) came under sharp attack.

"No facilities exist today in the DYS for secure detention," Chief Justice Walter J. McLaughlin said. "As a result, dangerous youngsters are out on the street. There are 25 time-bombs walking the streets of Boston alone."

McLaughlin said the state probably could use four detention centers, but added, "even one would be of inestimable value to the court."

"The kids have no fear of the court's authority," the chief justice said. "They know we have no alternative but to commit them to DYS and they have no secure detention centers. We have no control over them after they are committed to DYS.

McLaughlin said court-ordered rehabilitation programs for juveniles would be more effective if the youngsters knew the court could send them to institutions if they failed to be cooperative.

"As it stands now, there is nothing between the DYS and Concord (an adult prison)," McLaughlin said. "Concord is an unsatisfactory alternative, but unfortunately judges have been forced to make increasing committments there."

Before 1971 DYS maintained a number of detention centers and schools for juveniles. These facilities were closed by former Youth Services Commissioner Jerome Miller, who now holds a similar job in Illinois.

Judge Francis Poitrast of the Boston Juvenile Court said Miller closed the institutions "without preparation."

Since then DYS has relied on a system of community-based group and foster homes.

along the shore belongs to Nelson W. Aldrich, Senator and head of the oligarchy.

The western part of the town is devoted to manufacturing enterprises, and the foreign-born element predominates. French, Swedes, Italians, and Poles work and live side by side. Some of the mill hands and workers in the print mills are said to receive good pay, and to be of the better class of mill workers, but the greater number employed, it is alleged, are poorly paid, lead wretched lives in poverty and squalor, and are therefore all the more eager to sell their vote for what it will bring on election day.

In this industrial part of the town there is a notably lax observance of the Sunday laws, especially as regards liquor selling. Slot machines are installed in the saloons in open and direct violation of the statutes. Roadhouses of questionable character are not far to seek. Two places, known as the "Charter Oak" and "Lily of the Valley," are regarded with especial suspicion by the decent element of the town. Arctic (sometimes called Jericho) is spoken of as possibly the worst village for all manner of iniquities in the western half of the town.

To the eastward of this section, and before the shore is reached, comes the locality known colloquially as "Warwick Plains," embracing half a dozen villages. It is called a hotbed of corruption. Here dwell a class of low-class whites and negroes. Some of the men are "clammers," and follow the bay for a living. Wildes Corners is a place well known to the local politicians as a place where in former years voters were auctioned or bought openly in front of a groggery. The inhabitants of this part of the town pessimistically seek a livelihood as best they can, many of them having no regular occupation. This unsavory section extends to the fringe of shore places where the summer residents come to pass the hot months, facing the waters of the bay.

WEST GREENWICH.

A Typical "Heathen" and Almost Abandoned Town—Open Bribery at Elections.

In West Greenwich there is not a resident minister, a physician, or a barber. It is a town of abandoned farms, and desolate hillsides. It is possibly the worst of all the "heathen" towns. The rough and rolling surface of the country is covered with scrub oak, underbrush, stunted pines, and occasional groves of slim silver birch trees. One may drive for miles without seeing a house.

Syndicates and private parties have bought large tracts of land to grow up in brush and timber. Realty values are next to nothing. One farm of sixty acres with farmhouse, blacksmith shop, corn crib, and barn recently sold for $100. Another place of 180 acres, well wooded, with house, barn, and stocked trout pond, sold for $300. The sandy roads that wind about over the hills of the town are in wretched condition; apparently they have never been worked, but are simply natural paths of travel. The town has neither railroad nor trolley connection with the outer world. The only public conveyance to the nearest railway station is the mail cart.

Throughout the town there are many dilapidated and tumbledown buildings that have been allowed to go to ruin for lack of occupancy. In Noose Neck village there are four stone foundations of mills that were burned and never rebuilt. Tumbledown tenements adjoin these old sites, and are occupied in part by men and women of notoriously immoral character. The average of morality for the entire town is low.

Politically, it is not believed the town could sink any lower. Hardly more than 50 of its 174 registered voters cannot be bought, according to common report. The buying, one is told, is done openly. The political bosses make capital of the grinding poverty of their constituents. There is some excuse for the men who sell their votes in this town. They live in the most abject squalor, and under the hardest conditions. In all their environment there is not one thing conducive to right living or to lighten the dull, gray routine of their lives. Many of them never earn $10 in cash from one year's end to another. They barter for their supplies at the village store. Living under these sordid circumstances, the offer of $5 or $10 for his vote is a temptation that the average voter sees no reason he should resist.

The present population of the town is less than it was in 1748 by 160. The decline has been steady since 1820. The loss in the ten years, 1890-1900, was 192.

It may fairly be called an abandoned town; yet it has equal Senatorial representation with Providence, with a population of 175,597.

FOUR SMALL TOWNS.

Three Clean and One Tainted—Influence of Environment Shown.

Tiverton, Portsmouth, Little Compton, and Middletown may be classed together.

They all belong to the category of small controlling towns, and are strongly Republican, but in only one of them, Tiverton, is money spent in appreciable sums to debauch the electors. Even Tiverton may not be classed with the "corrupt" towns. Money is sent each year to be used on any refractory element in the party or to satisfy the demands of any malcontent who is likely to cause trouble. The great mass of the voters in these towns do not sell their suffrage for money. These towns are on the eastern side of the bay, where there are good farms and well-kept homes. The soil is fertile and free from stones. Good markets are near at hand. The farms yield their owners comfortable livelihoods. There are good churches and schools. Under such conditions, it was not surprising to find clean morals, social and political. These towns may be used as evidence to bear out the theory that environment has had much to do with the sway of bribery in Rhode Island; that and lack of communication with the outside world.

MORE JUDGES AND MORE MONEY FOR THE FAMILY COURT

This pamphlet is issued to convince the public of the great need for additional qualified Judges in the Juvenile Division of the Rhode Island Family Court, so that the interest of children who become the victims of Divorces or of Separations can be properly protected, in the manner intended when the Family Court was established.

Please give the pamphlet the widest possible circulation among your friends, neighbors and acquaintances.

Address comments either to the undersigned, to your newspaper or to your representatives in the General Assembly.

The following article consists mainly of condensed excerpts from the chapter "The Inadequacy and Failure of Our Domestic Relations—and Family Courts", taken from my manuscript for a book to be published soon and tentatively entitled "JUVENILE DELINQUENCY, ITS CAUSES AND ITS REMEDIES". The excerpts however have been adapted to matters that concern the Rhode Island Family Court and specifically its Juvenile Division.

According to the "$200 Million State Budget" story published in the Evening Bulletin of February 14, 1964, a $50,000 cut in the Family Court payroll is recommended by Governor Chafee.

The public would applaud this cut if it would eliminate from the payroll some of the lame-duck and political appointees who got these patronage jobs in payment of political debts.

The Family Court, established in September 1961 as the successor to the Domestic Relation Division of the Superior Court, started with 20 positions, including four judges. Now we have 66 positions, among them only five judges who must take care of all the cases, both in the Divorce and the Juvenile Divisions of the Family Court.

When the Family Court was established it was with the hearty approval of the public, because the people were made to believe that the Family Court would reduce the rate of growth in the number of divorces by solving, before court actions were started, many family problems in the privacy of a judge's chamber.

Unfortunately just the opposite happened. Divorces have steadily increased, and the Juvenile Division which was created primarily for the protection of the children and to work with parents and teenagers in solving their problems, has not been able to meet its purpose at all. Consequently, the Family Court has lost and is still losing public confidence.

However, this is NOT the fault of or can be blamed on the Judges. This lack of public confidence exists because the public has realized that the Family Court is being used by the politicians to pay political debts and that it has become a refuge or dumping ground for lame-duck politicians. For instance, before Notte left the Governor's office, he alone created and filled eight new court staff positions, not because the positions were needed but solely to dispense patronage. The most recent additions have added more fuel to the roaring fire of taxpayers' indignation, because the creation of every unneeded patronage job adds one more person to our large society of drones, which include the too many beneficiaries of public assistance who are just too lazy to work or even looking for work.

Then there are what may be called "the professional un-wed mothers", who do not care for their children one way or another but only have them to continue unhampered their lewd activities, in fact these women are nothing more than State-supported prostitutes who should be brought before court and sent to jail.

The Department of Social Welfare is supposed to investigate and prosecute such cases. This department is also requested by law to investigate for the Family Court. But instead of going to the root of and correct such and similar scandalous conditions and save the taxpayers millions of dollars, every year more social workers and investigators are hired by the Department of Social Welfare, probably the largest lame-duck refuge in the State administration, and year by year payrolls, expenditures, costs of public assistance and number of welfare recipients increase. Why? Because, with a few exceptions, most of the Department investigators and social workers spend their time behind desks instead of going out investigating and weeding out at least the worst cases of defrauding the taxpayers. Why should for instance, healthy but lazy family heads, who have not worked for from twenty to thirty years but have been welfare recipients during all those years, not be forced to either get a job, work for the community or State as laborers or go to jail. But that would be inhuman in the eyes of the coddlers. So our R. I. farmers who produce seasonal crops such as potatoes, have to import workers from other states or countries while we taxpayers have to support thousands of healthy but indolent men. The present appropriation asked by the Governor for the Department of Social Welfare is about $48 millions. This appropriation could be cut by at least 10 millions for the benefit of everybody, especially the children who, growing up in such environments and knowing only that the State supports and feeds them, can only grow into social misfits.

The original purpose of the Family Court, as publicly stated many times by Chief Justice McCabe and Judges Healey and De Ciantis who are the three judges exclusively or mainly concerned with youth problems, was to act for the best interest of the child. Knowing that there is a direct relationship between family disharmony and juvenile delinquency, these judges oppose the opinion that the Family Court is merely a "Divorce Court". They wish to have the Family Court considered to be the medium for mediation and conciliation, with the purpose to keep a family together by discussing — and trying to solve — family and youth problems in the privacy of a judge's chamber before divorce proceedings or other court actions are started. After once a divorce motion has been filed it is difficult if not impossible to obtain a reconciliation, with the children, whether they are aware of it or not, always being the sufferers. As Chief Justice McCabe so truly said, the main concern is NOT with the parents who did what they did knowingly, but with the children who must suffer the consequences of a divorce or of a separation.

As a preventative to divorce and juvenile delinquency the three judges, Chief Justice McCabe, Judge Healey and Judge De Ciantis, at one time or another have publicly invited parents and teenagers to come with their problems to the Family Court for private talks. They know that for the benefit of the children most family problems and family differences can be decided independently of whether a divorce petition is pending, especially in cases where a divorce would be granted automatically on the most trivial grounds of extreme cruelty.

However these honest and sensible intentions of the judges to act, in accordance with the oirginal purpose of the Family Court, as advisers and conciliators did not work out in practice, first, because the case load of every judge is so heavy that a judge's time is so much taken up in open court trials that he has no or very little time for private interviews in chamber, and second, because most divorce lawyers are opposed to and try to prevent such private interviews between a judge and parents since there are no fees for them in conciliatory procedures in chamber.

The Divorce Division of the Family Court has become a "Divorce Mill" because too many divorce lawyers are opposed to the time consuming and usually unsuccessful conciliatory negotiations between opposing lawyers but want to get a case into and thru the divorce court as quickly as possible. To accomplish this, procedures and agreements are arranged between the lawyers of the contesting parties in advance of a trial, using habitually as divorce grounds "extreme cruelty", and the judge cannot do anything else but make such mutual agreements between lawyers his court decision. Should a client demand that a case be prosecuted on the real grounds, such as for instance adulterous or habitual immoral behavior, his request is either ignored or, if the client insists, he is given the alternative either to let the lawyer proceed on his standardized and routine grounds of extreme cruelty or get another lawyer and thus lose the usually high advance fee or retainer already paid. Recently a bill was introduced in the Rhode Island Senate to make adultery the sole ground for divorce. Such a bill renders the claim of divorce lawyers that "adultery" (in spite that it always has been a legal ground for divorce cannot even be mentioned in the Family Court, rather questionable.

What the Family Court needs to be able to live up to its purpose is a MUCH HIGHER APPROPRIATION of budget money so that at least FIVE MORE JUDGES of the type of Chief Justice McCabe and Judges Healey and De Ciantis can be engaged.

All the judges, with the exception of the two who handle the divorce cases, should act not so much as trial judges but they should act in their chambers as counselors, advisers and mediators.

An increase in the number of judges might also induce our legislators to legalize Judge De Ciantis' claim that the Family Court holds absolute jurisdiction in all matters relating to the well-being of a family unit. Most persons will also agree with Judge De Ciantis that felonies committed by one member of a family against another — especially if committed in direct or indirect connection with a pending divorce case — should come under the jurisdiction of the Family Court.

Family Problems are so many and so varied that, where children are involved, thorough investigations and examinations in chamber are needed before litigations are started.

Let's have a quick look at some of the family problems that involve children. What is being said concerns the average child with his good and bad characteristics, and not the youngsters who are habitual offenders and hoodlums by nature and who rarely can be permanently reformed. Usually, but not always, the problems and misbehaviors of the average child of any age are the fault of one or both parents and, unfortunately, also of some school administrations who, to save-guard the reputation of their school, cover up scandals in which pupils are involved. Therefore Family Court judges should interview both parents and children and, whenever necessary, also teachers, in order to determine the true causes of and find a solution for a child's problems or bad behavior before a case goes into court.

Foundations of mental, emotional and physical health and of decent principles, ethics and good morals are laid in the early years. Such foundations cannot be laid by court decrees or by psychiatrists but only, as done in old times, by parents and teachers. Children of any age need love, affection, diversion and above all the feeling that their home is a place that gives

them security. But love and affection alone can also spoil a child. They must be complemented by supervision, orderly discipline and firmness. A concerned parent will always be ready for a child's need for help, encouragement, praise and support. Especially teenagers should be helped in finding their way thru our adult-made mire of existing conditions and to develop sound and decent principles to guide them thru their adolescent and adult lives. However children of any age should not receive unearned praise from indulgent parents but they also should be censured when needed, and if a child constantly does not live up to his abilities then censure must prevail over praise, and if a child does not cooperate because he is irresponsible or if he is intentionally and constantly disobedient, then sterner measures have to be taken. A normal child of any age expects to be punished for his misbehavior. If he is a failure as an adult because in his youth indulgent, or weak or irresponsible parents let him get away with everything, never was taught the value of self-discipline and the responsibility needed to make a success of adult life, he will not only blame his parents but hate them as the cause of conduct, of habitual immorality or having become a social misfit.

Any parent with a history of illicit other habitual vices, such as being an alcoholic, should never be given the custody of a child or have any say in his upbringing.

If young boys and girls roam the streets day and night or frequent secluded or questionable places because they have no real home life or because the parents do not care what they do, they inevitably will pick up the seeds for future juvenile delinquency or acquire vices, as the rise of promiscuity and other vices among teenagers amply prove.

Youngsters, with a parent or parents who practice or did practice the same vices they now try to suppress in a child by preaching — but not by teaching and by enforcing — strict and decent standards, will soon find out that such parental preaching is only due to the parent's own bad conscience and/or that the parent or parents themselves do not practice what they preach. Thus a child of inheritently good character becomes confused and frustrated, a child of inheritently bad character will disregard such preachings and do as he pleases.

Too many good parents have either in despair or voluntarily abandoned parental control, but the disappearance of parental control, particularly at the adolescent level, causes lack of responsibility and of biological and social maturity.

Often there exist conflicting parental attitudes, usually overindulgence toward a child by the mother against the father's sterner attitude and stricter discipline. Youngsters of such parents are in the middle. The irresponsible or egotistic ones play, to gain some special privilege, one parent against the other. But the normal child becomes confused, emotionally upset and disturbed by conflicting feelings often expressed by hostility toward one or both parents.

Another type of mother either subconsciously or intentionally "infantilizes "and overprotects a child, i.e. keeps him immature.

The worst kind of mother is the woman, usually a habitual immoral person, who protects herself from being divorced and exposed by using the love of the father for the child, who wishes to protect the child from the scandal of a divorce suit on the grounds of adultery or habitual immoral behavior.

Lack of parental encouragement, of assistance with schoolwork, of character developing, of supervision and of discipline, and continuous fighting between parents, can be summarized in "unfavorable home environment". Children growing up under such conditions become truants, underachievers, potential or actual school dropouts and even juvenile delinquents. Such children are not the victims of slum environments as it is so often assumed, but they are the victims of mostly well-to-do parents and of broken homes.

But how can a judge know of such conditions if he himself lacks the time to investigate and when the divorce lawyers have agreed not to reveal such conditions in court. All what the judge can do under present conditions is to render decisions in accordance with the pre-arranged agreement between the lawyers.

However many children growing up in unfavorable home environments possess a character strong enough to help themselves. Weaker ones might be helped by psychiatric treatment, at least those between the ages of eight and thirteen and who already are emotionally disturbed, feel insecure or inadequate. Normal teenagers as a rule however resent psychiatrists because, being sound of mind and possessing the power of perception or thought, they know what and who causes their problems much better than any psychiatrist does.

What has been said up to now has mostly been of a critical nature. But criticism is only of value if at the same time realistic remedies and solutions of critized situations and conditions are offered. Following I shall mention a few:

1) that at least FIVE (5) MORE JUDGES ARE ADDED TO THE JUVENILE DIVISION of the FAMILY COURT so that all the judges dealing with cases where children are INVOLVED have time to consult with parents, teachers and/or children in the privacy of their chambers in order to find the causes of a problem, give counsel, and advise and strive for a peaceful solution of problems where children are involved instead of rendering decisions in open court without knowing all the circumstances that led to a trial. However where serious conflicts exist between parents, particularly where untenable and unsufferable conditions exist, such as continuous immoral behavior, divorce is the best solution, even for the children as long as the guilty party does not obtain their custody.

I am talking only of normal children, who often can help themselves, and not of born hoodlums who should be dealt with stearnly by the court, though being usually also born hypocrites and whiners they often escape punishment with the help of sympathetic coddlers. Such kids are what they want to be, their bad ways are self-chosen and cannot be blamed on parents or environments, in fact many young hoodlums were in their younger years just spoiled brats from good families.

2) that, after having been for decades the main target of ridicule in the funnies read by youngsters of all ages, FATHERS be helped to REGAIN their age-old position as HEAD OF THE FAMILY and that the mother-dominated American home that has handicapped so many boys for life, be replaced by the father-dominated home, provided the father is a person morally fit to fill the position.

3) that parents with little education but possessing natural intelligence, ethics and principles be encouraged to acquire (evening schools, correspondence schools, etc.) knowledge and information which they can give their children. Ethics and principles are the most important heritage parents can leave their children. Unfortunately ethics and principles are also a national problem, and having ethical standards and high principles is not dependent on education or money-making powers. They are found as much, and even more, among the poor and uneducated, and the widespread opinion that the great majority of juvenile delinquents come from the slums, is a myth as every juvenile court judge knows. Most parents with little or no education know that such lack of education has always been a handicap to them and they therefore insist that their children obtain the best education they can afford or the State or the community can give them. This is the reason why so many, if not the majority of our "A" students come from such homes. On the other hand we have the parents, especially among a certain type of so-called self-made men, who look down on education and even ridicule it, and it is from such homes where our school dropouts come from.

4) that the law makes parents responsible for the misbehavior, such as vandalism, of their youngsters. After a parent has paid a few fines and for a few damages, he will see to it that a youngster reforms.

5) Establishment of a Permanent Conservation Corps for idle adolescent boys, including dropouts and first offenders, but not for repeaters or incorrigibles.

6) that offenses or crimes committed by youngsters (except repeaters and incorrigibles) be not judged by the same standards as when committed by adults. For instance, an adult steals a car for personal gain, i.e. to sell it, whereas a youngster usually takes a car for a joy ride and then abandons it. He has drifted into a phase of young life which, to his immature mind, is an enticing and exciting past-time. How many fathers can honestly claim that they never have gone thru this usually short phase of bad behavior, such a taking things from another child, shoplifting small articles, stealing apples from an orchard or committing similar little misbehaviors, which in former times, if detected, where not dealt with in court or by a psychiatrist, but by means of a father's or teacher's strap or switch. I do not advocate corporal punishment, except for teenagers involved in serious cases and for the very young where a slap on the behind is the only way by which the young child understands that he has done wrong. Applied to older children, corporal punishment seldom achieves its purpose and certainly is of no help in developing character. But the fact remains that when children were under strict home and school discipline and when all, and not just a selected few, were kept busy after school with organized and supervised plays and sports and with work at home, and when women did enter marriage to become good mothers and wives and not for the purpose to get sooner or later a divorce that would permit them to live afterwards an alimony-supported so-called sophisticated life, juvenile delinquency was practically unknown, in fact the U.S.A. is the only country in the world with such a large, nationwide problem of juvenile and adult delinquency.

7) that school dropouts are a waste of taxmoney, though partially true, is the wrong attitude, because it is the life of the teenager that is wasted, especially when he was a good prospect for a college or vocational education. Problem-teenagers, if they are not incorrigibles, should be helped by being accepted, advised and guided and not rejected by their schoolmates and community.

8) Judge Healey explained in 1963 that the Juvenile Court had to send older boys, though they were non-offenders but either had lost or been deserted by their parents, to the Training School for Boys instead of to a Foster Home, because Foster Parents refuse to accept children, particularly boys, above a certain age.

This type of boy certainly does not belong among the incorrigibles and criminal repeaters who constitute the majority of the inmates of the Boy's Training School, formerly more correctly called the "Reform School".

I suggest that the name of "Training School" be changed back to "Reform School" and that its inmates be only boys who have shown repeatedly or even habitually criminal tendencies, and that a STATE ORPHANAGE FOR TEENAGERS be established, whose inmates would be either orphans or deserted children, which amounts to the same thing. Such an institution should be run as a family, supervised by married couples of excellent reputations and who are interested in and have experience in dealing with youth, such as teachers or former teachers. The boys would attend the Junior and Senior High schools of the community where the orphanage or BOYS' HOME is located. At the home the boys would enjoy a real family life along the pattern of a private boarding school. A somewhat similar recommendation was made some time ago by Judge De Ciantis.

Governor Chafee, as a father and a former Sunday School Superintendent, don't you think it would be better to slash your welfare and highway budgets and drop for the present the acquisition of the much over-priced Colt estate and spend such savings for the benefit of our youth as suggested in this article?

JOHN H. HAERRY, D.Sc., PH.D.
East Greenwich, R. I.

February 1964

Judge Tells Unwed Mother to Baptize Baby

BY HAMILTON F. ALLEN

Judge Michael DeCiantis of Family Court yesterday refused to allow an unwed mother to give up her three-month-old girl for adoption because the baby was not baptized.

The judge ordered the adoption agency, Children's Friend & Service, to "have the child baptized forthwith or I won't do it. I'm not going to be a party to this kind of stuff. That child is three months old and nobody has done anything to baptize it and the mother is a Catholic."

Judge DeCiantis said later it was the first time in his 12 years on the bench that he had come across this situation. Although known for his peppery style, he said it was "the first time I've been so mad" about the handling of a case.

DeWitte T. Kersh Jr., attorney and spokesman for the agency, said after court that the situation was not unusual and is "more or less routinely done." A woman who wants to give up her child for adoption can waive religious requirements for the adoptive parents, although a woman also can specify religious affiliation if she prefers, Mr. Kersh said.

Normally, a woman is agreeable to the waiver "because she wants the best deal for her child" through the greater freedom it allows an adoption agency in selecting adoptive parents, he added.

The issue arose in court when Judge DeCiantis asked the mother, a 19-year-old Rhode Island woman, for the name of the infant. The mother replied: "The child wasn't named . . . I wasn't going to take the child so I figured the parents should have the right to name it."

The judge then asked if the infant had been baptized, and the young woman told him, "No."

"Three months old and she hasn't been baptized yet?" the judge asked.

Agency caseworker Lucy Dechaine replied: "No, she is not because we do not know what religion the adoptive parents will have." The baby has been living in a foster home since she was born, Mrs. Dechaine added.

Robert W. Edwards Jr., an agency lawyer brought into the case after the judge demanded a lawyer, explained that the young woman had waived any specific religion in the adoptive home. But Judge DeCiantis declared: "If it reaches there, if it lives overnight . . . How the hell do you know if I'm going to die or you're going to die?"

In his chambers later, the judge said his greatest concern in the case is the possibility, however faint, that the infant might die before she is baptized. "I'm a Catholic; we have been taught that a child that isn't baptized doesn't go to heaven; it's in limbo," he said.

The infant, he added, is "entitled to be looked upon as a baby that the Lord put on earth."

If the child had been born to a non-Catholic woman, he said, he would ask that some kind of religious ceremony be held for the child and that "it be done right away as far as I'm concerned."

Journal 6/12/73

Judicial 'Interference'

This is in reference to an article in your issue of May 25, 1973 about the order of Judge DeCiantis to baptize a child to be put up for adoption.

I am a Catholic and my husband is a Baptist. We have a three-month-old son who is not baptized. We have no intentions of baptizing our son. We want to let him grow and choose his own religion. We feel that we do not have the right to commit him to a religion before he knows what is happening!

I do not feel that Judge DeCiantis has the right to force the mother to baptize the child if she does not wish to. Legally it is a violation of our right to freedom of religion. He does not have the right to do it either, within the teachings of the Catholic Church. Catholicism does not give anyone the right to intervene in anyone else's life.

If Judge DeCiantis feels that he has the right to intervene here, will he continue to force his will on other Catholics in this state?

Margaret S. Butler
Peace Dale

Adoption Agency Told: Have Infant Baptized

Children's Friend and Service, an adoption agency, was ordered by a Family Court judge yesterday to baptize the three-month-old daughter of an unmarried aCtholic mother before the child could be put up for adoption.

The order came from Judge Michael DeCiantis, who declared tartly: "I'm not going to be a party to this kind of stuff. That child is three months old and nobody has done anything to baptize it and the mother is a Catholic."

The judge, who has been on the bench 12 years, said it was "the first time I've been so mad" about the handling of a case.

DeWitte T. Kersh Jr., attorney and spokesman for the agency, said after court that the situation was not unusual and is "more or less routinely done." A woman who wants to give up her child for adoption can waive religious requirements for the adoptive parents, although a woman also can specify religious affiliation if she prefers, Mr. Kersh said.

Normally, a woman is agreeable to the waiver "because she wants the best deal for her child" through the greater freedom it allows an adoption agency in selecting adoptive parents, he added.

The issue arose in court when Judge DeCiantis asked the mother, a 19-year-old Rhode Island woman, for the name of the infant. The mother replied: "The child wasn't named . . . I wasn't going to take the child so I figured the parents should have the right to name it."

The judge then asked if the infant had been baptized, and the young woman told him, "No."

"Three months old and she hasn't been baptized yet?" the judge asked.

Agency caseworker Lucy Dechaine replied: "No, she is not because we do not know what religion the adoptive parents will have." The baby has been living in a foster home since she was born, Mrs. Dechaine added.

In his chambers later, the judge said his greatest concern in the case is the possibility, however faint, that the infant might die before she is baptized. "I'm a Catholic; we have been taught that a child that isn't baptized doesn't go to heaven; it's in limbo," he said.

Patience I

Journal 5/31/73

Adoption Stymied

Under usual circumstances, an unwed mother who gives her child up for adoption may elect to specify the religious affiliation of the adoptive parents or waive that right.

In Rhode Island Family Court last week, a 19-year-old unmarried mother was chastised by Judge Michael DeCiantis because her three-month-old girl had not been baptized. "I wasn't going to take the child, so I figured the parents should have the right to name it," she said.

Judge DeCiantis refused permission for adoption and told Children's Friend & Service, the adoption agency, to "have the child baptized forthwith or I won't do it. I'm not going to be a party to this kind of stuff."

No one can fault Judge DeCiantis for his own religious beliefs. Further, it may be that the broad discretion granted Family Court judges encompasses the court's action in this case. That is for others — the judiciary and the legal profession — to decide.

But apparently normal adoption procedures have been interrupted by this ruling. The mother has been denied the right to waive religious preference; moreover, she has been ordered through the agency to comply with religious doctrine specified by the court.

It seems not improper to suggest that when the personal beliefs of the court come in conflict with the rights of an individual before it, voluntary disqualification might well be considered. Evidently, the mother's stated religion was a factor here. But what would the court have ruled, one wonders, if an atheist or agnostic offered her child for adoption without first giving it a name sanctioned by the clergy and solemnized in a religious ceremony?

Church-State Division Violated

Diocese Hits Baptism Order

In ordering the baptism of the baby of an unwed mother before permitting the infant to be put up for adoption, a Family Court judge last week involved an alliance of church and state which is cause for concern and displayed a "rather elemental understanding of the Sacrament of Baptism," the Providence Visitor declared today in its lead editorial.

The Visitor, the weekly newspaper of the Roman Catholic Diocese of Providence, did not name the judge, but its editorial was in obvious criticism of Judge Michael DeCiantis, who ordered Children's Friend and Service, the adoption agency, to "have the child baptized forthwith or I won't do it (permit adoption)."

Both the judge and the child's mother are Catholic, the Visitor editorial noted in expressing concern that the church-state alliance involved in the court's order has "the state moving to enforce religious discipline."

"We Catholics have spent much of our history in this country battling laws and fighting attitudes that would use the force of civil legislation and the courts to make us conform to the practices of other religions," the editorial continued. "We therefore should be particularly sensitive to efforts, no matter how informal the setting, to use the power of civil law to enforce the practices of our own religion.

"Moreover, the statements of the judge show a rather elemental understanding of the Sacrament of Baptism. This sacrament is more than a cleansing of the child's soul of original sin. In today's understanding, deeply rooted in the traditions of the past, Baptism is the Sacrament that brings the child into the community of the Church."

The Visitor noted that the stress today is on family participation in the administration of baptism, with the child's parents taking a central role.

The parents, "whether natural or adoptive, are the main teachers who aid in the formation of the child as a believing and practicing Catholic," the Visitor declared, adding:

"The Church needs to know before Baptism is administered what kind of home this child will have and what are the prospects that he will be brought up in an atmosphere that will form a Catholic conscience.

"This emphasis on the family's role in the baptism of each member is a central force in the administration and reception of this sacrament. The judge's simplistic edict obscures this role and unfortunately distorts the true nature of Baptism."

Adoption Agency Granted Infant Ordered Baptized

Judge Michael DeCiantis of Family Court today granted the request of an adoption agency for guardianship of an infant the judge had ordered baptized a Roman Catholic.

The judge had refused to hear the case two weeks ago after learning that the nonsectarian Children's Friend & Service had not had the three-month old baby baptized.

In today's court hearing, agency lawyer DeWitte T. Kersh Jr. presented a baptismal certificate showing the infant was baptized Monday.

The infant's mother, an unwed Roman Catholic, testified she is unable to care for the baby and that her parents agree with her decision to terminate her rights to it. The infant's father has had nothing to do with either her or the baby, she added.

Judge DeCiantis, granting the agency's request, read Section 14-1-41 of Rhode Island's General Laws, which he indicated had guided his decision to demand baptism.

Entitled "Protection of Religious Faith," the law states that the Family Court, in choosing an agency for guardianship or custody of a child, shall select one that is governed by persons of the same religious faith as that of the child's parents. When the religious faith of neither parents nor child is ascertainable, this principle shall not apply, the law states.

The judge, commenting on this last point, noted that the faith of the mother had been established.

Two weeks ago, the judge ordered Children's Friend and Service to have the infant baptized immediately, saying: "I'm not going to be a party to this kind of stuff." He later voiced concern that if the child should die without being baptized, it wouldn't "go to Heaven," but to "limbo."

He also was critical of the adoption agency. When the mother of a child to be placed for adoption has a religious identity, the agency has the responsibility of providing the infant with whatever religious rituals the mother's religion might prescribe, he said at that time.

Mr. Kersh had said that the lack of baptism was not unusual and is "more or less routinely done." A woman who wants to give up her child for adoption can waive religious requirements for the adoptive parents, Mr. Kersh said at that time. In such cases a woman usually believes the waiver will provide "the best deal for her child" by giving the agency greater freedom in selecting adoptive parents, Mr. Kersh had said.

Wife Beating Illegal Court Tells Husband

By HAMILTON F. ALLEN

It's official: Rhode Island men may not beat their wives.

An opinion handed down by the Rhode Island Supreme Court denies that Cranston lawyer Aram K. Berberian has the right to commit "justifiable" assault on his wife Barbara.

Mr. Berberian contended that under the Rhode Island Constitution a man has the right to assault his wife "in accord with his fundamental right to chastise her."

But Chief Justice Thomas H. Roberts, commenting on his written decision, said: "I could never agree that one of the great natural rights was the right to beat your wife."

In his ruling Judge Roberts stated that the framers of the state Constitution never intended that a citizen had such a right. He dismissed the Berberian case as "utterly without merit."

The decision does not deny there might have been a "common-law view" of wifely discipline in 1842 — when the state Constitution became law — that differs from 1971 attitudes.

But, his decision concludes: "The modern view is clearly to the contrary and inhibits the use of physical force or violence upon the person of the wife."

Mr. Berberian, in written remarks prepared for Supreme Court presentation, argued:

"Marriage is not a partnership. . . . Two persons are married into one and the husband is the one. To protect the wife against molestation is to suborn her disobedience. When wives are permitted to disobey their husbands with impunity, the stability of marriages (is) threatened."

Furthermore, Mr. Berberian said, by common law, as well as under fundamental rights guaranted to a husband under the Rhode Island and United States Constitutions, a man has the right to "chastise" his wife.

Mr. Berberian, claiming that his wife was the aggressor in three assaults cited in Family Court testimony, said the court should have barred her from "initiating any aggressive tactics" rather than issuing the injunction against him.

Most of Judge Roberts' written decision is devoted to arguments in support of his decision that the decree involved is not appealable to the Supreme Court. In doing so, he supported Mrs. Berberian's claim that Rhode Island courts have held that an "interlocutory" (temporary) decree cannot be appealed because it is not a final judgment.

The case came before the Supreme Court on Mr. Berberian's appeal from an August, 1970 decision by Family Court Judge Michael DeCiantis. That was an interlocutory decree barring the Cranston lawyer, 48, from "molesting and assaulting" his wife Barbara, 50.

Judge DeCiantis, while granting Mrs. Berberian's request for an injunction against her husband, denied her request to put her husband out of the couple's house at 56 Baldwin Orchard Drive, Cranston.

Judge DeCiantis' decision came as part of Mrs. Berberian's suit for a legal separation from her husband. Filed July 30, 1970, it waits a final decree.

The couple was married 19 years ago and has three children, all minors.

In a bill of particulars on allegations in her suit, Mrs. Berberian said she had been struck and pushed by her husband, resulting in injuries to her back. She claimed to be "in fear of bodily harm" by her husband.

Three days before Mrs. Berberian filed for separation, her husband filed for divorce. He alleged, among other things, that "in June of 1970 (she) assaulted and beat her husband, causing him physical injury, necessitating police intervention."

The suit was thrown out by Family Court last Oct. 7.

Judge DeCiantis, commenting on the Supreme Court ruling, said when he was a lawyer he used to come into contact with men who were vehement in defending their alleged right to "chastise" their wives.

The men were often recent immigrants from European countries where, he said, "the tradition was that they had this right. And the peculiarity is, their wives accepted it. They did nothing."

"But with the second generation, and everything else, those attitudes changed," the judge said.

In a more humorous vein, the wiry, white-haired jurist raised a clenched right fist and said: "Women's lib marches on."

Judge Roberts, talking informally about the case, said that in English common law at one time a husband had the right to chastise his wife with a stick—"if the stick was no bigger than his thumb."

"Another test was if the stick fit through the wedding ring," he added.

Rhode Island isn't the first state to have its top court come to terms with wife-beating, he said. Several states in the American South have had the issue before their high courts "and they decided there was no such right," he explained.

His own written opinion cites a 1946 Alabama ruling and a 1953 South Carolina ruling. He believes other rulings have been handed down in Georgia, Kentucky and elsewhere.

R.I. Judges See Little Effect on Family Court

By DOUGLAS C. WILSON

Rhode Island judges said yesterday that they do not believe the new Supreme Court ruling on juvenile court proceedings will have much effect on Family Court practices in this state.

Chief Judge Francis J. McCabe of Family Court said that state law already provides juveniles with constitutional protections. While he and other court spokesmen qualified their remarks by saying they had not read the full court decision and were basing their responses on news accounts, Judge McCabe said, "I don't think it will affect us at all."

Since the juvenile court system in Rhode Island was established in 1944, he said, it has been the court's policy "to preserve to the utmost the constitutional rights of every child that comes before us."

Family Court Judge Michael DeCiantis, who foreshadowed yesterday's Supreme Court decision five months ago when he held that juveniles are entitled to the same constitutional safeguards accorded to adults, agreed that the Family Court here "has gone out of its way to give them a fair hearing."

And Chief Justice Thomas H. Roberts of the state Supreme Court, expressing his "first reaction," said: "I don't think it will make very much of a change with our juvenile court judges. I think they've been quite solicitous to protect the constitutional rights of the youngsters with whom they come into contact."

Judge McCabe said juveniles

Continued on Page 29, Col. 2

R.I. Judges See Little Effect on Family Court

Continued From Page One

lack constitutional safeguards in some other states because many juvenile court judges are not lawyers and do not follow rules of law in handling juvenile cases.

One Rhode Island Family Court judge said he had "misgivings" about one part of yesterday's decision, however. Judge Edward V. Healey Jr. said he questions the wisdom of providing juveniles with protection against self-incrimination, including the privilege of remaining silent.

"If we allow juveniles of any age to now have the protection against self-incrimination," he said, "if they don't have to admit that they were involved in an offense, I think we've lost one of the basic elements of encouraging and educating youngsters in respect for the law."

This safeguard against self-incrimination was one of six safeguards included in the Bill of Rights, which must apply to juveniles as well as adults under the new Supreme Court decision.

Safeguards Are Provided

Judge Healey and the other judges all said that the Family Court in Rhode Island already provides juveniles with the other safeguards: notice of the charges placed against them, the right to have an attorney's assistance, the right to confront and cross-examine complainants and other witnesses, the right to a transcript of the court proceedings, and the right to have the case reviewed in higher courts.

Judge Healey and Judge McCabe had different interpretations of the self-incrimination aspect of the new ruling, however, and said they were at a disadvantage in not having the full text of the decision.

"We'll have to get together and have some uniformity on this thing after it gets into our hands," Judge MCabe said.

Judge Healey said that up until now, he has "operated on the premise that juveniles were not charged with a crime, and you can't incriminate yourself if you're not charged with a crime." As he interpreted accounts of the Supreme Court ruling, the court "now would have to tell juveniles that they have this right" to remain silent. "We don't have any choice but to conform to this, by virtue of the decision," he said.

Aim Is Rehabilitation

"I have not felt that juveniles should be given this protection up until the date of this decision for two reasons," he said.

"It was my understanding of the theory of the juvenile law that juveniles were not charged with a crime; they were charged with being wayward and delinquent, and that the underlying principle of the statute is to rehabilitate juvenile offenders."

In addition to this, he said, "It would seem to me that to extend to juveniles this additional constitutional protection will in some measure completely defeat the rehabilitative processes of the court. I think it's good therapy for a child to own up to something. Certainly their admitting an offense doesn't affect, as far as I'm concerned, the disposition of a case. As a matter of fact, if a juvenile makes full admissions, I consider this as an initial step toward rehabilitation."

Differing Interpretations

Judge McCabe saw the ruling in a different light: "It isn't a question of the juvenile's being notified of the right to remain silent by the court, as I take it," he said. He thought that this applied instead to police handling of juveniles.

The Family Court, Judge McCabe continued, has "always given juveniles this protection in spite of the fact that the majority ruling of most appellate courts is to the contrary. If a juvenile's lawyer doesn't wish to put him on the stand, then I don't see how our court can rightfully put him on the stand. When counsel refuses to put him on the stand, I say, 'Well, you're entitled to do that.' I can't force him to testify."

Judge DeCiantis remarked yesterday that he has "felt right along that juveniles should be tried as they do a defendant in a criminal case.

In a decision that he filed last Dec. 8, Judge DeCiantis held that juveniles are entitled to all the constitutional safeguards accorded to adults. Among these he included the right to trial by jury, which was not specified in yesterday's Supreme Court ruling.

Trial By Jury An Issue

The Family Court traditionally has denied juveniles the right to jury trials, and Rhode Island law is silent on the subject.

Judge DeCiantis held that juvenile offenders, particularly those sent to the training schools, are deprived of their liberty without due process of law under the 14th Amendment to the U.S. Constitution.

The judge's opinion was part of a decision in a case involving a 14-year-old Warwick boy accused two years ago of malicious mischief — throwing stones from the Pettaconsett Bridge in Warwick at passing railroad trains.

The youth denied the accusations and his attorney, John A. O'Neill Jr. of Pawtucket, subsequently filed motions with the court questioning the constitutionality of the methods and procedures used by the Family Court in juvenile hearings, particularly the lack of a jury trial.

Judge DeCiantis upheld Mr. C[illegible] r[illegible]

JOURNAL
5/16/67

On Page 37

Cemetery, Middletown.

Bristol.

League of Women Voters said.

PROVIDENCE JOURNAL
May 24

Court Practice Called Unconstitutional

Lawyer Attacks Record Availability

A Family Court practice of allowing judges possession of the complete record of juvenile defendants during trials was challenged as unconstitutional yesterday by a state public defender.

John P. Toscano Jr. of the state public defenders office, moved for a dismissal of an accident case against a 16-year-old Little Compton youth in Newport Family Court.

He said that a judge who has the complete record, which contains information possibly not admissable as evidence in a trial, cannot impartially decide a case.

Brian G. Bardorf, prosecutor, argued that the record fits in with the informality of the Family Court system which, in the best interest of the juveniles involved, does not conduct hearings as full scale criminal trials.

Judge Michael DeCiantis took the case under advisement and said he will issue a written decision at a later date.

Involved is the Family Court system of bringing persons under 18 to trial for criminal matters.

When a complaint is filed with the court by a police department or a social agency, the court instructs its administrative staff to investigate the case and compile a report.

The report includes not only the police case but the social record of the defendant, including his family background, personal history and such records as psychological tests.

The completed report is reviewed by the chief justices of the court or any of the four associate justices who decide if the matter should actually come to trial.

If the case is tried, the record is made available to the judge who is hearing the case. It is possible that the same judge who hears the case, read the record and ordered the trial. Mr. Toscano said that provisions in the state law which set up the "referral" report violate both state and federal constitutions which guarantee a fair and impartial trial.

The case involves an accident in Tiverton last Sept. 30 in which the Little Compton youth was driving a car which collided with a motorcycle.

The motorcycle driver had his leg amputated as a result of the accident and the petition in Family Curt charges the driver of the car with operating left of the center line.

The trial began March 20 and on April 18 Mr. Toscano moved for dismissal. Judge DeCiantis ordered briefs filed for yesterday's hearing.

Complicating the case is the absence of two key prosecution witnesses: the automobile accident victim, who has no memory of the crash, and the policeman who made the report. The policeman is no longer on the Tiverton force and cannot testify, but his findings are in the pre-trial record.

BACK TALK

Fox Point

Dear Sirs:

I was interested in the letter by the Rev. Daniel J. McCarthy in Back Talk (February 13), responding to the councilman from Fox Point. As a former candidate for the council from the First Ward, I am much aware what the words "When the going got tough" are all about.

Those men mentioned by Daniel McCarthy are, in my opinion, men of great vision, courage and deep understanding. I have been involved in many committees and groups of people interested in the survival of Fox Point as a viable community.

To criticize a man who gave his all to help the people of Fox Point is short-sighted and not worth commenting on any further. As a member of the black Cape Verdean community — or the little that's left — of Fox Point, I was interested to note that the clergymen mentioned were deeply involved in securing the right for blacks in Fox Point to gain access to housing plans that were discussed for so long a period of time.

Fox Point may survive as a community but, from what I have seen, blacks are not going to be included unless we make very strong attempts at resisting the subtle channels of racism that exist in Fox Point.

Manuel D. Pereira
Providence

R.I. Drivers

Dear Sirs:

I would like to comment on Patricia Duffy's letter in Back Talk (February 13). I agree 100% with her and would like to express a few of my own pet peeves about drivers:

1. Gentlemen and ladies making a turn to the right with the left directional light on, or no signal at all;

2. The slow driver (20 mph) on the freeway in a 45-60 mph driving zone;

3. The thoughtless driver in a driving rain who splashes water on your windshield so that if you are not far enough in back of the car in front of you, you would hit him in the rear by the time your windshield became clear again;

4. The children of seven or eight who threw snow balls on my side windows right after I had my car washed and the language they back talked when I asked them why they did such a thing.

I think Rhode Island drivers are the most discourteous in the country. God be with them if they tried some of these things in California.

Viola L. Mott
Providence

Compliments

Dear Sirs:

The *Rhode Islander* for February 6 was a perfect blend of enjoyment and enlightenment. William Gale's profile of Judge DeCiantis came through, loud and clear. "Surf's Up" with Carol McCabe's words and Jack Spratt's photographs caught the moment. Anthony DiBiasio's police parody on blue law enforcement made me wish he'd do one on our neck of the woods.

Roberta E. Thompson
Wakefield

R. I.
Sunday
Nov. 19 - 1972

Abe Fortas

Legal Scholars Term Fortas A 'Near Great'

Washington—Abe Fortas, the only Supreme Court justice to resign from the court under fire for his ethical conduct, has been listed among the nation's "near great" justices by a group of legal scholars.

In an article published this week in the American Bar Association Journal, it was disclosed that Fortas, now a Washington lawyer, had been placed among the judicial near greats by a selected group of 65 of the nation's most distinguished law school deans and professors of law, history and political science.

Rated as "failures" on the court were three appointees of President Harry S. Truman—Fred M. Vinson, Sherman Minton and Harold H. Burton. The other "failures" were Willis van Devanter, James C. McReynolds and Pierce Butler, members of the court of "Nine Old Men" that resisted the reform legislation of the New Deal; James F. Byrnes, an appointee of President Franklin D. Roosevelt, and Charles E. Whittaker, an appointee of President Dwight D. Eisenhower who agonized over his decisions until he suffered a nervous collapse.

Two law professors, Albert P. Blaustein of Rutgers and Roy M. Mersky of the University of Texas, chose the 65-member group and polled them on the justices. They published some of the results last year in Look Magazine in an article entitled "the Twelve Great Justices of All Time."

The dozen "greats," in chronological order of their service, were John Marshall, Joseph Story, Roger B. Taney, John M. Harlan, Oliver Wendell Holmes Jr., Charles E. Hughes, Louis D. Brandeis, Harlan F. Stone, Benjamin N. Cardozo, Hugo L. Black, Felix Frankfurter and Earl Warren.

The "near greats," in addition to Fortas, were William Johnson, Benjamin R. Curtis, Samuel F. Miller, Stephen J. Field, Joseph P. Bradley, Morrison R. Wait, William Howard Taft, George Sutherland, Robert H. Jackson, Wiley B. Rutledge, John M. Harlan (grandson of the earlier Justice John M. Harlan), and two current justices, William O. Douglas and William J. Brennan Jr.

The scholars who did the rating were not given criteria to follow. They were simply asked to use their own standards of judicial performance to rate the justices great, near great, average, below average or failure.

According to the author of the article, the scholars encountered "some trouble, in their efforts to rate Fortas, an outstanding justice for four years before he resigned in 1969 under the cloud of having accepted a large fee from a foundation created by a wealthy stock manipulator who was in trouble with federal securities officials. Some of the professors refused to rate him at all, but others gave him the highest rating."

Judge DeCiantis Cites Old Law; Juvenile Is Approved for Bail

BULLETIN 10/19/70

Citing a 113-year-old law, a Family Court judge ruled today that a 17-year-old youth charged in the fire-bombing of the Narragansett police station Sept. 8 has the right to bail.

Judge Michael DeCiantis, in the ruling filed today, said it is unfair to hold juveniles awaiting trial when adults have a Constitutional right to bail.

He noted in the decision cases in which teenagers have been imprisoned for as long as 10 months awaiting hearings, possibly in conditions not beneficial to youths.

The ruling by Judge DeCiantis, which is not binding on the other judges of Family Court, involves one of three persons arrested in connection with the early morning bombing of the Narragansett police station.

The youth has been held at the Annex "C" maximum security section of the Rhode Island Training School since his arraignment in September, and his attorney, Sen. Thomas H. Needham of Cranston, has asked for his release on bail pending trial.

Judge DeCiantis said that with the filing of his ruling, the boy will be brought before the court, and bail will be set.

Judge DeCiantis said this morning that the 1857 bail law has not been used more than once since the Family Court system went into effect in 1944, because most lawyers assumed juveniles are not entitled to bail.

But, he said in the decision, "detention of a juvenile results in his being subjected to the sordidness of mingling with other inmates who may have committed more serious crimes."

He said that it is unjust to imprison teenagers when if they were adults, they would be free to await trial. He said the Constitution guarantees the right to bail.

Although Family Court gives teenagers speedy trials, the judge wrote, they have sometimes been imprisoned for as long as ten months awaiting hearing. "In one case, a boy was detained three months in the training school and, in another, three months in the Youth Correctional Center, and in a third case, a boy was held ten months at the Youth Correctional Center."

Referring to the controversial preventive detention law recently enacted by Congress, the judge said that "The Constitution cannot be brushed aside.

"To whittle constitutional freedom bit-by-bit is very dangerous. The liberties of the American people depend upon the rule of law which limits the authority and discretion of men who wield the power of government."

Since many of the teenagers who come before Family Court are from broken or disadvantaged homes, Judge DeCiantis said in his opinion, the court will consider personal recognizance "where justice demands it."

Family Court proceedings are not civil matters," the judge wrote "unless one buries his head in the sand and refuses to accept reality."

Supreme Court reaffirms the right to learn how public institutions run

Dist. Sunf.
7/6/80

Anthony Lewis

WASHINGTON — For once, a Supreme Court decision deserves that overworked adjective, historic. In Richmond Newspapers vs. Virginia, the Court established for the first time that the Constitution gives the public a right to learn how public institutions function: a crucial right in a modern democracy.

It is not an absolute right. How far it will go cannot be divined in the confusing mass of judicial words: seven opinions in a single case. But it is a beginning — a first large step in the development of a new First Amendment doctrine.

Until now, there has been a curious dualism in the First Amendment as the Supreme Court has interpreted it. If someone learned something about government, he had virtually absolute freedom to speak or write about it; a claimed threat to national security, for example, was not enough to stop *The New York Times* from publishing the Pentagon Papers. But the court gave governments a constitutionally free hand to keep the press and public from acquiring official information. Thus, prisons could be closed to outside visitors even when there was reason for public concern about conditions inside. The high court twice rejected journalists' claims that the Constitution gave them a right of access. And just a year ago, in the much-criticized Gannett case, a 5-to-4 majority allowed a pretrial hearing in a criminal case to be closed to the press and the public.

The Gannett decision looks like the dust of history after Richmond Newspapers. This time a criminal trial itself had been closed, and a 7-to-1 majority found that unconstitutional. The justices did not explicitly say that the new doctrine would apply in pretrial situations, too, but known positions of the justices indicate that that will be the prevailing view.

All seven in the new majority relied on the First Amendment in holding that two Richmond newspaper reporters should not have been kept out of that trial. And Powell, who did not sit in this case, will surely take the same position, since he was the first to say, in the 1974 prison case, that the First Amendment included a right to know about public institutions.

"Public debate must not only be unfettered," Powell said then; "it must also be informed." Chief Justice Burger, in the Richmond case, seemed to echo that thought when he said the "guaranteed rights to speak and to publish concerning what takes place at a trial would lose much meaning if access to observe the trial could, as it was here, be foreclosed arbitrarily."

The principle of access to public institutions is not likely to be confined to court proceedings. The chief justice's opinion spoke of a "right of access to places traditionally open to the public, as criminal trials long have been." Four other justices — Brennan, Marshall, Powell and Stevens — are on record with a more expansive view. And at least one more, Blackmun, moved in that direction in the Richmond case.

It would not be surprising, now, to see a majority reexamine the prison decisions if an appropriate case comes along. Whatever the nature of the closed institution, the court will plainly weigh the public interest in access to it against any convincingly articulated official reasons for the closure. Several justices indicated, for instance, that a courtroom might be closed if there were real needs related to a fair trial; access to a prison might be limited for security reasons.

The public will wonder how the Supreme Court could take such an apparent somersault in just one year, between the Gannett and Richmond cases. Last year, the court did not address the First Amendment issue; it decided only that the Sixth Amendment's guarantee of a right to "public trial" was for the benefit of the defendant, not the public. Still, there has been a real change in judicial perception, and it is fair enough to wonder about such a course of decision.

But I believe the change — the variously explained but unmistakable move toward a new First Amendment doctrine — in fact reflects strength in the Supreme Court's process. The justices were not locked in ideological postures. Over time they perceived new realities in the world, and they were able to reflect those realities in their judgment.

We are not in an age, any longer, when the test of the First Amendment is the freedom of the street corner orator. We live in a complex society, with a government of immense powers that a democratic public can hope to control only if it is able to learn the facts in some depth and detail. Accountability, the principle at the heart of the American Constitution, more than ever requires information.

Many things may have pushed the justices toward that understanding. The criticism of the Gannett decision no doubt was heard. Brennan made an important speech at Rutgers last fall on the structural role of the First Amendment in a self-governing society. It may have mattered, too, that the press in this case did not claim a privileged constitutional position for itself. It spoke as the representative of a public interest. However it happened, the process worked. It produced, in Stevens's words, "a watershed case."

* * *

Anthony Lewis is a columnist of The New York Times.

Books

Tours through Lovecraft's haunted city and state

LOVECRAFT'S PROVIDENCE AND ADJACENT PARTS. By Henry L. P. Beckwith, Jr. 89 pages. Donald M. Grant, Publisher, West Kingston. $10.

Review by
SAM COALE

H. P. Lovecraft, Providence's own, roamed "those mad lanes that wind/ In labyrinths obscure and undefined" of his native city. Henry Beckwith, "distantly related" to the writer of weird tales, prowls those same streets in this beautifully printed and illustrated guide to Lovecraft's Providence. The book describes four tours of the city and the area, accompanied by four clear and careful maps of the state, the city, the East Side, and College Hill (and a marvelous cover of a monstrous attack on the Baptist Meeting House), by David Ireland. Accompanying the lucid text are eight photographs, including those of Charles Dexter Ward's house, the Roger Williams spring, the Archer Harris house, and the old Narragansett Church at Wickford; carefully detailed references to Lovecraft's works and selected letters; and blank pages for tour notes.

Beckwith began his interest in a tour of Lovecraft's city in 1975 when the Fist World Fantasy Convention was held on Halloween weekend here and participants sought to re-trace Lovecraft's footsteps and encounters. Two of his best stories, *The Shunned House* and *The Case of Charles Dexter Ward*, are set in the city. Step by step Beckwith leads the reader through streets, into graveyards, around old houses, through parks, all the while commenting on such diverse interests as the architectural style of John Holden Green and the almost incestuous ancestral entanglements of old Providence families.

BUT THE TRUE DELIGHT of Beckwith's book is his lingering over legends and tales, his stumbling upon an auction of coffins at the Dexter Asylum, the beginnings of the North Burial Ground, "set aside as a public area for burying the dead and drilling the militia," and tales of vampirism in Exeter, Indian slaughterings in Central Falls, two stuffed passenger pigeons at Moses Brown, the Halsey connection with mysterious goings-on in Argentina, and the possible existence of slave tunnels and old abandoned cellars deeply dug into College Hill. We learn of the whereabouts of the apple tree root that invaded the body of Roger Williams, of the origin of Stampers Hill, the "tremendous sandwiches" at Geoff's and fine music and randy liquors at the Met Cafe, and that we shouldn't travel into Swan Point Cemetery after dark because of the "nocturnal feeders" there. My favorite tale is of former Professor S. Foster Damon's appearance at the Providence Athenaeum to retrieve the lurid novel, *The Carpetbaggers*, from the "locked scruple room" there and his attendant rebuff and success.

The Providence that Beckwith has conjured up in this volume would do Lovecraft's description of his old city proud: "It was this place and the mysterious forces of its long, continuous history which had brought him into being, and which had drawn him back toward marvels and secrets whose boundaries no prophet might fix."

Samuel Coale is Associate Professor of English at Wheaton College.

H.P LOVECRAFT

Insurance plans include hospices

NEW YORK (UPI) — Hospice programs for the dying are being offered as alternates to hospital care by more than 20 Blue Cross-Blue Shield plans nationwide, Blue Cross-Blue Shield says.

Walter J. McNerney, president of the Blue Cross and Blue Shield Associations, said yesterday many other of the 113 member plans are looking into the hospice concept of care for the terminally ill.

Hospices include special places where, for example, the dying live in a family-like setting, but no extraordinary medical efforts are made to prolong life, such as keeping those in a vegetable state alive with machines.

There is more to hospices than teams of health-care professionals, social workers and ministers who care for the dying person at home and look to needs of loved ones, McNerney said. There also is help with bereavement.

"Evidence from the limited experience of our plans and various studies suggest that hospice care can be effective in reducing pain and patient discomfort while relieving family anxities," McNerney said.

Hospice care originated in Great Britain about 30 years ago. The idea upon which it was based was that care for the terminally ill need not stop when curative drugs and surgery no longer are effective treatment.

The first hospice in the United States was started in 1971 in New Haven, Conn.Now there are more than 100 hospices, with about the same number in the planning stage.

The Rochester, N.Y., Blue Cross plan was recently selected as one of the 26 demonstration sites in the nation by the Department of Health, Education and Welfare as part of a study to help shape federal policy on hospice care.

"It is not yet clear what types of hospice care are most appropriate or how they might best be organized, administered and funded," McNerney said.

In a related development, McNerney said Blue Cross and Blue Shield Associations — which provide health insurance for 86 million people — have been awarded a $100,000 contract by the HEW Office of Planning and Evaluation to study terminal illness costs.

Among major objectives of the year-long study will be a determination of health services currently used by the terminally ill during the last six months of their lives.

New test spots glandular disorder

BOSTON (AP) — Because of a new test, doctors are finding so many cases of hyperparathyroidism that it would cost Americans as much as $146 million a year for enough surgery to treat all those who have this once-obscure glandular disorder, a study shows.

Since the test became available in 1974, doctors at the Mayo Clinic say there has been a sixfold increase in diagnosis of the disease, which involves overactive parathyroids, four tiny glands in the neck.

The results of the 12-year study, conducted from 1965 through 1976 at the Rochester, Minn., clinic, were published in the New England *Journal of Medicine*.

The disease is most frequently found in women over 60. Among them, 189 new cases were spotted annually for every 100,000 women. The rate is about half that for men over 60.

The parathyroids control the body's levels of calcium. When they become overactive, the blood carries too much calcium, and this can damage the bones, kidneys and other organs, as well as cause depression.

—AP Photo

IT'S OVER: A 2,200-mile jet ski marathon came to an end yesterday at Daytona Beach, Fla., as Jim Carlin concluded his 76-hour ride down the coast from Maine. Carlin, a 32-year-old policeman from Saddle Brook, N.J., had hoped to reach Mexico, but bad weather and other difficulties along the way forced him to quit.

At funeral: 'This Land Is Your Land'

The Los Angeles Times

WASHINGTON — William Orville Douglas was buried yesterday on a grassy hill overlooking Washington after a funeral that he had arranged in his own inimitable style.

Douglas, the Supreme Court's iconoclastic defender of individual liberties, who died Saturday at 81, was interred at Arlington National Cemetery. As Supreme Court justices looked on, his flag-draped coffin was placed in a grave barely 15 feet from the tomb of former Justice Oliver Wendell Holmes.

At funeral services preceding the burial, leading members of Washington's political and legal establishments turned out to praise Douglas and to mourn his passing, including President Carter, Vice President Walter F. Mondale, Sen. Edward M. Kennedy, D-Mass, and other senators and members of the Cabinet.

Douglas's former law clerks and the Rev. Edward L.R. Elson, the Presbyterian minister who presided at the services, said that Douglas had selected the music and passages to be sung and read at his funeral.

Thus, the U.S. Army Chorus found itself rising inside the National Presbyterian Church to sing not the usual funeral hymns or dirges, but Woody Guthrie's "This Land Is Your Land."

Elson, the U.S. Senate chaplain, read the Biblical passage from the epistle of Paul to Timothy: "The time of my departure is at hand. I have fought a good fight."

The New York Times

Founded in 1851

ADOLPH S. OCHS, *Publisher 1896-1935*
ARTHUR HAYS SULZBERGER, *Publisher 1935-1961*
ORVIL E. DRYFOOS, *Publisher 1961-1963*

ARTHUR OCHS SULZBERGER
Publisher

A. M. ROSENTHAL, *Executive Editor*
SEYMOUR TOPPING, *Managing Editor*
ARTHUR GELB, *Deputy Managing Editor*
JAMES L. GREENFIELD, *Assistant Managing Editor*
PETER MILLONES, *Assistant Managing Editor*
LOUIS SILVERSTEIN, *Assistant Managing Editor*

MAX FRANKEL, *Editorial Page Editor*
JACK ROSENTHAL, *Deputy Editorial Page Editor*
CHARLOTTE CURTIS, *Associate Editor*

TOM WICKER, *Associate Editor*

July 6 1980 (sunday)

Identity Papers

A recent law school graduate we know offers an entrancing short course in American constitutional law. Regardless of the specific issue, she says, the argument always ends up the same. One side says, "That idea would lead straight down the slippery slope." The other side says, "No, it won't." There's a moral here for an issue, involving both immigration and personal freedom, that could hardly be more appropriate to a July Fourth weekend.

The issue is how to stem the tide of illegal immigrants crossing the border from Mexico. The proposed solution is to give all Americans a forgery-resistant Social Security card and require that it be shown to employers in order to get a job. That would discourage illegal migrants. In this case, the slippery slopers recognize the merit of controlling immigration. But they recoil from use of such a card. It would, they fear, lead to national identity papers and police statism. We're inclined to think, "No, it won't." But what we're interested in most of all is ways to traverse the mountain without losing balance.

•

Not even a new electronic fence has made it possible to control the flow of illegal Mexican workers; for them, even exploitative wages in the Southwest are high. The answer is not a fence but worker identification and it is now being explored for the Government by a blue-ribbon commission on immigration. The Social Security card would be convenient identification, but the present card is a cinch to counterfeit. The answer to that is to make it forgery resistant. It might include a photograph, or fingerprint, or signature. For maybe $5, a card could be secure enough to defeat anyone outside the KGB. What's wrong with that? Nothing — except the slippery slope.

Some people think that the balance between spontaneity and social control in America is already awry. Robert Ellis Smith, an authority on privacy, worries about a "European mentality of submitting to inspectors who tell you that 'Your papers are in order.'" John Shattuck of the American Civil Liberties Union fears that worker identification cards would be "tantamount to a form of domestic passport." Such concerns are made more acute by the knowledge that memories of Watergate are fading; that Americans no longer seem so concerned about the dangers of a police state; that they would rather be searched at airports than hijacked in the air.

An improved Social Security card would not, of itself, present any new threat. Less easily forgeable ones would not create any new information. Social Security numbers are already used for bank accounts, and taxes, and medical benefits for psychiatric treatment or venereal disease. Some slippery slope fears arise because of the very reliability of the new card. The more reliable it is, the more agencies will wish to use it. And using it for this non-Social Security purpose might well make Congress more willing to let it then be used for others. The F.B.I., for instance, might wish authority to ask people for their cards in the course of trailing fugitives. In the wake of an assassination, say, or a shocking terrorist episode, could Congress resist yielding such authority?

Such fears are rational. The question is, what should society do about them? It is no more sensible to reject the identification idea because of potential problems than to ban telephones because they can be tapped. The immigration commission should proceed with its study of a worker-identification system. One is needed. Meanwhile, let the rest of us address the larger questions. If Congress pledges to permit this use for a new card and no other, can it be trusted? If not, what about the idea of Prof. Alan Westin of Columbia for a protective constitutional amendment? One way or another, it is possible to grope toward protections against potential abuses. The slope may be slippery but society does not have to slip.

SPITAL / MEDICAL PPORTUNITIES

GRAM

kisting Com-
Residents of
ions for the

ervices, for-
ervise activi-
in budgets,
ity. MSW, 2
rea of Home

plans. Per-
recruiting,
Attendants.
experience

-Time

system for
ork as well
providers.
ocial Work
with elderly

resumes to:

WAII

niversity-affiliated
onolulu.

CEPTORSHIPS
-11th. Please call
EAM!

ST

644-bed
nd fringe

esiology
ter

DIRECTOR
DEPT of PEDIATRICS

567-bed teaching hospital affiliated with State University of N.Y., Downstate Medical Center, with an accredited residency training program in Pediatrics is seeking a full time (geographic) Director for its Dept. of Pediatrics.

This key position requires an outstanding clinician who can provide leadership and vision to:

ATTENDING PHYSICIAN & HOUSE STAFF

Applicant must be board certified in this specialty and have proven ability as an ADMINISTRATOR, TEACHER and CLINICIAN. Position includes a faculty appointment at the State University of N.Y., Downstate Medical Center.

Please direct C.V. and correspondence to:

CHAIRMAN, Search Committee
C/O Office Of The President
The Long Island College Hospital
340 Henry St., Bklyn., NY 11201
An Equal Opportunity Employer M/F

DIRECTOR OF AMBULATORY SERVICES

The Director will be responsible for the control, operation and planning of ambulatory health services provided by Hurley Medical Center.

Minimum entrance requirements: Master's degree in Health Services Administration, Business Administration or related degree. One to two years of progressively more responsible experience in a hospital and prior experience or knowledge in the field of ambulatory health care delivery. Apply:

HURLEY
MEDICAL CENTER
One Hurley Plaza
Flint, Michigan 48502

An Equal Opportunity Employer M/F

DIRECTOR OF SURGERY

The Department of Surgery is conducting a search for a candidate to serve as Director of an active department in an ultra-modern 540+ bed major teaching center. Position offers academic status, a full faculty appointment at New York Medical College. Applicant sought is aggressive, Board-certified with established credentials and demonstrated expertise and leadership and coordination of a surgical service. Interested applicants should submit c.v. by July 25, 1980 to Dr. Billy E. Jones, Chairman of the Search Committee, Department of Surgery.

LINCOLN MEDICAL & MENTAL HEALTH CENTER
234 East 149th St.
Bronx, New York 10451
an equal opportunity employer m/f

HEMATOLOGY FELLOWSHIP

Large teaching hospital located in residential Brooklyn has vacancy for Hematology Fellow to start July 1, 1980 or as soon as is feasible. Board-eligible Internist or Pediatrician preferred.

PHONE:
Dr. Joel Schwartz,
Chief of Special Hematology
743-0737 OR 743-4100 Ext. 249
CONEY ISLAND HOSPITAL
2601 Ocean Parkway, Brooklyn, N.Y. 11235
Member of the NYC Health & Hospital Corp.
An Equal Opportunity Employer Male/Female/Handicapped

DIRECTOR OF NURSING

Expanding community hospital is offering excellent opportunity for an experienced nurse manager to redevelop the nursing services division. Medical school affiliation recently initiated. Candidates should be growth oriented with strong management and leadership abilities. Nursing administration experience essential. Phone or mail resume to:

PERSONNEL DIRECTOR
SOUTHWEST COMMUNITY HOSPITAL
501 FAIRBURN ROAD

HEALTH SYSTEMS PLANNER

Health Systems Agency is seeking applicants for a Health Systems Planner with demonstrated experience in planning health care services. Knowledge of PL93-641 and P.L.96-79 and health systems development would be useful. Experience in areas of primary care, health promotion, prevention and detection, and environmental health desired. Position available immediately. College degree required; Graduate degree preferred. Minimum 2 years health planning experience preferred. Some night work required. Salary range: $18,100 to $20,000. Send detailed resume to: Director, Division of Planning and Resource Development

Sun. 7/6/8. N.Y.Times

Abortion, Politics and Tolerance

Last week's Supreme Court ruling limiting the right of women to have abortions remains deeply troubling. By a one-vote margin, the Court ruled that Government is free to deny Medicaid funds for abortions to women on welfare even if their health is endangered by continued pregnancy. The Court has now taken a narrow view of its duty to protect the constitutional right — a right it pronounced in 1973 — of American women to have an abortion early in pregnancy. The Court's majority seeks to differentiate between the protection of a constitutional right and the provision of a service. For the poor, however, there can be no such separation if the right is truly to be guaranteed. Without Medicaid help, many poor women will not be able to afford a safe and legal abortion.

The Court came perilously close to undermining the fundamental and fair doctrine it set out in 1973. The majority no longer seems so much concerned about the health of mothers as about the health of fetuses. Nor is the Court offended by indirect governmental interference in a women's right to decide freely about aborting an unwanted pregnancy. This week the scale was tipped against free choice for the poor. We wonder if, next time, it will be the freedom of the rich, or of minors, or of physicians who seek to do abortions, that is eroded.

For those who favor free choice in so important and personal a matter, the task ahead is clear, and difficult. Bewailing the Court decision cannot accomplish anything. This is, above all, a political cause and it must be fought for in the public and political arena. Otherwise, we fear, the right of all women to abortions, taken for granted since the 1973 decision, may be diminished further, by more aggressive legislation and perhaps even by a constitutional amendment.

•

We continue to believe that in a democracy there is only one reasonable solution to a matter as bitter and divisive as abortion. And that is tolerance. When the nation is so deeply split, Government cannot choose sides without inflicting great pain. Government's most constructive role is to try to minimize its interference and to allow people of differing views to follow their own consciences. That was the great value of the 1973 decision.

Since that breakthrough, however, many of those who favor free choice have rested on their oars, as though victory in the courts were somehow final. They failed to anticipate a political backlash that has swept state legislatures and Congress. One result is that the pregnant poor, those most in need of society's help, have been the first victims.

Opponents of abortion have worked hard among lawmakers to enforce their views on everyone. Lately, they have been winning. Their efforts may even have left an impression on some courts. But their gains are nonetheless gains for a kind of intolerance which must inevitably cause much unfairness. It already has for the poor.

...scrimination

By JIM MANN
The Los Angeles Times

WASHINGTON — The late Justice William O. Douglas wrote in a Supreme Court opinion 14 years ago that "lines drawn on the basis of wealth or property, like those of race, are traditiionally disfavored."

But the present Supreme Court has never endorsed that view. In its decision Monday permitting Congress to deny federal Medicaid money for abortions, the court returned once again to a legal principle that it has regularly honored in the past: at least as far as the United States Constitution goes, it is generally OK to discriminate against the poor.

The fact that a poor woman cannot get money from the United States Treasury to pay for an abortion does not mean that the government is actually preventing her from having that abortion, Justice Potter Stewart wrote for the court. Rather, said Stewart, her plight is the direct result "not of governmental restrictions, but of her indigency."

And, Stewart continued, the Supreme Court has often held that official distinctions based upon indigency should be treated more casually by the courts than distinctions based upon race or national origin.

Essentially, this means that legislatures and government officials have vastly greater leeway to treat the rich differently from the poor than they would have it they tried to treat blacks differently from whites.

★ ★ ★

IN SOME of its decisions during the 1960s, the Supreme Court headed by former Chief Justice Earl Warren seemed to come close to outlawing discrimination against the poor.

For example, the Warren court decided that poll taxes that required some payment of money to get into a voting booth were an unconstitutional form of discrimination against the poor. It also struck down state laws that limited the access of poor people to the criminal justice system.

However, the Burger court stepped back from this trend of decisions that, if extended, could well have been applied to bring about far-reaching changes in American society.

The key Burger court ruling came in 1973 in a case involving the unequal effects of local property taxes on rich and poor.

A federal judge in Texas had decided that the state's system of financing public education through local property taxes was unconstitutional. He concluded that the system unfairly discriminated against residents of poorer areas, where the property tax base was low and where local officials consequently had less money available to spend on each child.

The ruling followed an earlier decision by the California Supreme Court, and was one of a series of state and federal court decisions around the nation striking down the financing of public education through local property taxes.

But the Burger court decided 5-4 that just because this system of financing worked to the detriment of the poor did not mean that it was unconstitutional.

"At least where wealth is involved,"

Turn to ABORTION, Page C-2

Rich vs. poor issue key in abortion ruling

Abortion

Continued from Page C-1

the Constitution "does not require absolute equality or precisely equal advantages," wrote Justice Lewis F. Powell Jr.

★ ★ ★

IN PRECISE constitutional terms, this controversy involves a debate over the meaning of the 14th Amendment's guarantee to all persons of "the equal protection of the laws."

Technically, the Supreme Court never discusses whether or not to permit discrimination against the poor. Instead, it talks more abstractly about whether or not poverty is a suspect classification for purposes of interpreting the 14th Amendment.

The justices have consistently held that race is a suspect classification, and that so is national origin.

That means any federal or state law or policy that treats people differently because of their race or national origin is inherently suspect. If such a law is challenged in court, the justices have held, then it must be given strict scrutiny to see whether there is some compelling state interest, or justification, for the law.

On the other hand, a law or policy that does not involve a suspect classification is treated with more respect. In such cases, the federal court is supposed to check much more casually to make sure the law has some rational basis.

These phrases are abstract, but their application is critical to the outcome of many Supreme Court cases.

If the Supreme Court decides to subject some law or policy to "strict scrutiny," it almost always goes on to declare the law unconstitutional. In fact, Gerald Gunther, a law professor at Stanford University, once wrote that strict scrutiny usually amounted to fatal scrutiny.

Therefore, in practical terms, discrimination on the basis of race is regularly declared invalid.

But if the Supreme Court decides that no suspect classification is involved and applies the looser "rational basis" test, then it almost always goes on to uphold the law or policy it is reviewing.

★ ★ ★

THAT IS WHAT happened in Monday's abortion case. Writing for the court, Stewart asserted: "This Court has held repeatedly that poverty, standing alone, is not a suspect classification."

Since poverty is not a suspect classification, the court examined the Hyde Amendment — the law cutting off Medicaid payments for most abortions — under the rational basis test.

In their dissents, Justices John Paul Stevens and Thurgood Marshall each pleaded with the Supreme Court to abandon its present approach to the 14th Amendment's guarantee of equal protection of the laws, the approach under which it treats poverty and race differently.

The World
Continued

United Press International
Armed leftists aim at snipers in San Salvador last week.

Falling Toward Real Civil War In El Salvador

By ALAN RIDING

SAN SALVADOR — "There can be no civil war here," El Salvador's new ruling junta warned, "because no matter who wins, it would mean the destruction of the country."

Yet, despite the junta's optimism that a civil war can be averted, battle lines are being drawn on the left and right in preparation. And neither extreme seems concerned about the devastation and suffering that then seems certain.

Extreme right-wing elements were blamed for touching off a gun battle that left at least 20 dead last week when 100,000 persons marched in an anti-Government protest. In a reprisal attempt, three armed leftists were killed when they attacked a police station.

Apparently blinded by simplistic analogies, the left points to the Sandinist military victory in Nicaragua last year as evidence that armed struggle is feasible here, while the right recalls that a massacre of 30,000 "Communists" in 1932 brought El Salvador 45 years of "peace."

But while the Nicaraguan insurrection set an entire nation against a hated dictator and his praetorian National Guard, a conflict in El Salvador today would indeed be a civil war, with the army probably divided and many civilians fighting on both sides. Further, compared to the peasant rebels mowed down in 1932, the leftist opposition today is large and well-armed. In one important aspect, though, the analogy with events in Nicaragua last year is valid.

Once again, the international community seems to be waiting until war starts before acting. Yet, even more than in Nicaragua, an El Salvador civil war could convulse the entire Central American isthmus.

To the north, army-ruled Guatemala believes that the domino effect of the Nicaraguan revolution must be stopped in El Salvador before it reaches its own territory. Arguing that the battle for Guatemalan democracy must be fought in El Salvador, its army could therefore intervene here to prevent a leftist triumph. Nicaragua's Sandinists might feel obliged to help the Salvadoran rebels.

A Potential 'Cambodian' Tragedy

El Salvador is such a tiny overcrowded country — 5 million people in a mountainous territory the size of Massachusetts — that a civil war would inevitably produce an exodus of tens of thousands of refugees to neighboring Guatemala and Honduras.

With the country already unable to feed itself, a conflict would also disrupt normal marketing channels and bring widespread hunger. Some foreign analysts have predicted grimly that El Salvador may become Central America's Cambodia.

To date, only the United States has made a timid effort to forestall a civil war, mainly by supporting the civilian-military junta that replaced the ousted ultra-conservative regime of Gen. Carlos Humber Romero on Oct. 15.

Last week, as some Washington officials expressed alarm over the developing violence, Assistant Secretary of State William D. Bowdler, who negotiated the departure of President Anastasio Somoza Debayle from Nicaragua last year, stopped off in San Salvador on a tour of Central American capitals.

But other countries that could have even greater influence over the polarized political forces of El Salvador, such as Mexico, Venezuela, Nicaragua and Guatemala, have made no attempt to mediate a peaceful solution. The Organization of American States, which took up the Nicaraguan question only after the Sandinists' final offensive was well under way last June, has still to recognize the Salvadoran crisis.

Without some urgent outside initiative, the gathering forces of left and right seem set on armed confrontation. Leftist guerrillas and political fronts have begun unifying, while conservatives are also rapidly arming themselves. Increasingly, Salvadorans are being forced to choose sides. Even the Roman Catholic Church is deeply divided.

Many local analysts believe that the last hope of peaceful change was lost in the weeks following the October coup d'état. The new coalition Government, though representing political groups of left and right, was paralyzed by internal differences. It collapsed Jan. 3 when the army refused to accept a faster pace of reform.

The two military members of the five-man junta, Col. Adolfo Arnoldo Majano and Col. Jaime Abdul Gutierrez, remained at their posts and eventually persuaded the Christian Democrat Party, whose victories in the 1972 and 1977 presidential elections had been blocked by fraud, to join a new Government.

Before naming three civilians to the junta — party members Antonio Morales Erlich and Hector Dada Hirezi and an independent, Dr. Ramón Avalos — the Christian Democrats demanded a commitment from the armed forces for sweeping reforms, including nationalization of private banks and foreign trade and expropriation of large private estates. These conditions were formally accepted, but the conservative military high command remained intact.

Opposition to the new junta from the left stems largely from disbelief that it can carry out the promised reforms or halt the army's traditionally repressive response to popular movements. The right claims it would prefer armed conflict rather than surrender to the junta's "Communist" reforms. Either left or right could spark a civil war, and the Government seems too weak to stop it.

There could be no real victor in such a conflict. Already, the repression and agitation of the past two years has brought the country to the brink of bankruptcy. Kidnappings of businessmen and occupations of factories have provoked an exodus of wealthy managers and capital, shutting down many companies and removing jobs, while falling agricultural production is bringing food shortages and inflation.

The sprawling urban slums where any insurrection might begin are so crowded that widespread fighting would bring thousands of casualties. San Salvador's concentrated industrial zones would be easy targets for leftists.

Tito's Illness Was a Sudden Test for the Inevitable Event

The Center Held, but Some Feuds Go Back for Centuries

By JOHN DARNTON

BELGRADE, Yugoslavia — President Tito's illness turned out to be a dress rehearsal for the event that all Yugoslavs now realize must come soon. As the tough, 87-year-old statesman was recovering from a leg amputation in which he had been given only a 50 percent chance of survival, Communist Party officials were breathing easier. They took pains to point out that the machinery of government had functioned normally during his incapacitation. Their inference was clear: When the event happens, the transition of power will be smooth and Tito's legacy will be a stable, nonaligned Yugoslavia. But will it?

Certainly, there were some good signs. The illness, a severe arteriosclerosis, could not have come at a more unsettling time. The Soviet invasion of Afghanistan (like Yugoslavia, nonaligned and Communist) was a disturbing parallel. It raised tensions perceptibly throughout Eastern Europe. Rumania, a maverick inside the Warsaw Pact, announced combat readiness. Tiny, xenophobic Albania put aside long-standing feuds and declared it would come to Yugoslavia's aid against an outside attack. To the north, Soviet troops went on winter maneuvers in Hungary, while Bulgaria, Moscow's staunch ally to the east, put its forces on heightened readiness. Scores of foreign journalists streamed into Belgrade, waiting for something to happen.

Through it all, Yugoslavia remained calm. Police tightened scrutiny of dissidents, right-wing Croatian separatists, and pro-Soviet "Cominformists," but there were no mass arrests. The 270,000-man army went on a low-priority alert, and heightened security measures took effect, including deployment of antiaircraft guns at Belgrade Airport. But these moves seemed primarily symbolic, to show the country's readiness and to reassure its people. As telegrams poured in from around the country wishing the President a quick recovery, and as the League of Communists reported a sudden jump in membership applications, there was a palpable sense of unity.

Spelling 'Danger' in Two Alphabets

Unity is, and will remain, Yugoslavia's single most important concern.

Foreign observers agree that in the post-Tito era, the dangers are as likely to come from within — from the fragility of Yugoslav federalism — as from without. Yugoslavia's 22 million people are a hodgepodge of 18 ethnic groups with a vivid history of mutual antagonism and resistance to centralized authority. It is often described, accurately, as a country with two alphabets, three religions, four languages, five nationalities and six constituent republics.

The basic division stretches back to A.D. 395, when Emperor Theodosius split the Roman Empire to stop his sons from quarreling. That line, which runs straight through modern Yugoslavia, has been one of history's formidible frontiers, separating the Latin Catholic West from the Greek Orthodox East. When Yugoslavia was created in December 1918, on the ruins of the Hapsburg and Ottoman Empires, it made an improbable marriage. Nationalistic feuding doomed the between-wars monarchy and erupted in a bloodbath during World War II. Today's Yugoslavia remains an unmelted pot — of Serbs, Croats, Slovenes, Bosnians, Montenegrins and Macedonians, plus Albanian and Hungarian minorities. The main antagonism is between the Serbs, 40 percent of the population, and the Croats, 22 percent. Croats and Slovenes fear Serbian hegemony, while Serbs, in turn, are nervous about Croatian separatism.

To rule over this uneasy mixture, President Tito's Government evolved into an amalgam of six loosely-bound republics and two autonomous provinces. The republics, each with its own parliament, television and radio station and bank, are so autonomous that, in many ways, the country is more of a confederation than federation. Nationalistic sentiments boil over in linguistic disputes, student strikes, foreign currency allocation quarrels and pork barrel battles between politicians over where to locate factories and railroads.

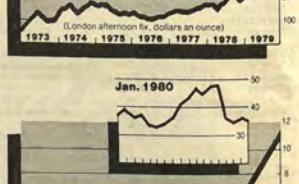
There has been no overt crisis since 1971, when nationalistic "euphoria" exploded in Croatia. Intervening, President Tito ordered a party purge to defuse a spontaneous movement that was edging toward separatism. But despite decades of official agnosticism and ecumenicalism that have dulled religious distinctions, despite a booming economy that has brought consumer goods within easy reach, in short, despite the simple passage of time, frictions remain. Richer republics such as Slovenia, where annual per capita income is $5,000, resent sharing foreign exchange with poorer regions, such as the Province of Kosovo, where the annual income is $700. The poorer ones demand a more equitable share of national income. The economy, with inflation at 30 percent and a trade deficit of $6 billion, will have to move to austerity, which could exacerbate the scramble for dwindling goods and investment along nationalistic lines. The economy has become so decentralized that some younger, reform-minded Yugoslav theorists — fearing it may become unworkable — are advocating re-centralization, which would probably touch off regional tensions. There are several "forgotten" minorities. One million Albanians, who chafe at being the lowest-paid menial workers, are perhaps the most restive. Marshal Tito's great domestic triumph, many feel, was his ability to forge a semblance of national "unity in brotherhood" out of this heterogeneous conglomeration. The key questions now are whether the decentralization that be fostered as a solution to impacted diversity has dampened or fueled rival nationalisms, and what will happen when he is no longer around to intervene.

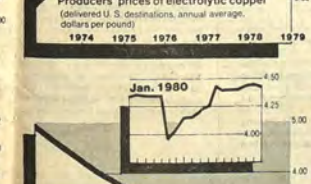
Yugoslavs have a talent for rallying together when threatened by external dangers, as they did after the break with Stalin in 1948 and during the Soviet invasion of Czechoslovakia in 1968. But when external dangers recede, old nationalistic dimensions reappear. For this reason, it cannot be said that the collective ruling bodies in both party and Government, carefully balanced by nationality, were tested during President Tito's illness. What will happen when his powerful hand is eventually removed remains disturbingly unpredictable.

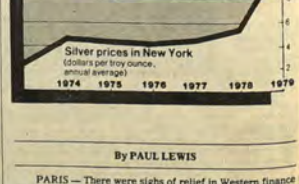
Farmers near Pec, Yugoslavia.

Western Economic Officials Make No Secret of Their 'Irritation'

Gold Market Sends a Message: These Are Very Troubled Times







By PAUL LEWIS

PARIS — There were sighs of relief in Western finance ministries last week as the price of gold dropped by over $200 an ounce from the record high of $865. But the satisfaction was short-lived when the price bounced like a yo-yo, reacting to President Carter's State of the Union warning to the Russians and to concern about potential instability from Iran to Yugoslavia.

Outwardly, the Carter Administration and other Western governments displayed studied indifference to the behavior of a metal the economist John Maynard Keynes dismissed as a "barbarous relic" and Shakespeare called "the common whore of mankind." Privately, however, Western leaders had to worry as the gold market registered a glittering vote of no confidence in their stewardship. Seeking protection against political upheavals and inflation fueled by energy prices, investors and speculators were converting paper currency into precious metals, commodities and even antiques. Gold led the way, rising more than 300 percent within a few months, while silver, copper, sugar, rubber and wheat also reached or came close to record highs. Feeling the backwash from the speculative rush, despite energetic central bank efforts, the dollar came under pressure from purchasers of marks and Swiss francs.

"There's no fixed position or objective so far as gold is concerned," Treasury Secretary G. William Miller said last week, expressing traditional American disdain for the metal. "It's how it may affect other commodities that is of interest," he added. Officially, gold has been just another commodity — of little use to anyone except jewelers and dentists — since former President Nixon decided in 1971 to halt free exchange of foreigners' dollars for gold. But despite this modest official status, gold's soaring value has dominated three closed-door meetings of Western economic leaders since Jan. 1.

Meeting privately at Kronberg, near Frankfurt, Secretary Miller and the Finance Ministers of Britain, France, West Germany and Japan reportedly expressed their "irritation" at the skyrocketing price of gold. Trying to dampen speculative fever, the United States and Germany agreed to tighten margin-trading requirements and to restrict the futures market in precious metals; so far, the measures have met with only limited success. At earlier meetings in Washington and Basle, Western treasury and central bank officials abandoned efforts to calm the market by selling their own gold, although Chairman Paul Volcker of the Federal Reserve Board said the United States might someday resume these sales. Indeed, the United States and its industrial allies, as owners of 50 percent of world gold reserves, are the main beneficiaries from soaring prices. Their refusal to sell sparked speculation that they may be planning to restore gold's role in the monetary system. Shrugging off American reproaches, the Western Europeans have kept alive hopes for a golden monetary comeback, pushing monetary unification plans which provide a limited role for gold in settling debts between them.

In Charles de Gaulle's famous phrase, gold has "eternally and universally been regarded as the unalterable currency par excellence" — when wars loom or inflation seems out of control. Conversely, demand for gold subsides when the world seems calm and people think that paper currencies will keep their value. The present gold rush is exceptional, however. Between 1833 and 1968, the big Western Central Banks held the world price steady at $35 an ounce, the Federal Reserve Bank's exchange rate. In those days, the banks frequently had to buy large quantites of gold to keep the price from falling even lower. From 1968 — when their "gold pool" was dissolved under pressure from speculative buying prompted by America's growing trade deficit — until 1972, the price stayed below $50 an ounce. It reached $200 for the first time in mid-1978. Part of the present rise can thus be seen as "catching up" with other commodities.

Political and Economic Fears Combine

The recent sharp price increase reflects a combination of political and economic fears about the 1980's, interacting on each other. Fears stirred by Russia's invasion of Afghanistan and turmoil in Iran have been dismissed by some observers. "Nothing happening in the world economy justifies the doubling of any commodity price in a week," said one Treasury official. Yet, Middle Eastern troubles were seen by some investors as increasing the risks of war. Also increased spending for weapons and commodities stockpiles appeared likely to add to inflationary pressures.

Traders also feared that Mr. Carter's overtures to China, intensified in reaction to the Soviet move into Afghanistan, could encourage Peking to get tough militarily in Vietnam and Cambodia. Reacting, the Hong Kong gold market led the London market last week, with strong demand reported from Thailand, Malaysia and Singapore. Stimulated by high prices, thieves in Hong Kong set their own record, stealing $670,000 of gold jewelry since Jan. 1.

Lurking behind these topical "political" warning signals were long-range economic considerations, which showed no sign of going away. Even if the upsurge in Islamic fundamentalism were to fade, the Soviet Union was expected to switch soon from exporter to importer of oil, casting an increasingly covetous eye on Middle Eastern supplies and the West's near-monopoly use of them. And just as the West was learning to live on less oil, there were threats from producing countries to reduce supplies, prompting still higher prices. Faced with basic economic difficulties, chagrined Western Governments seemed to be discovering that spending their way out of the downturn — Keynesian style — only produced more inflation. Fearing electoral unpopularity, they appeared unable or unwilling to pursue their new austerity commitments vigorously enough to produce results. Not surprisingly, Middle Eastern oil producers were reported buying gold in the search for alternatives to holding onto the billions of dollars they are being paid for meeting Western oil needs. As the world entered the eighties, the gold market was whispering messages that Western leaders would rather not hear.

The Nation

In Summary

Now It's Official, Inflation Last Year Ran at 13.3 Percent

Visions of lucrative contracts danced through defense procurers' heads, specters of enlarged deficits haunted Federal budgeteers, and projections of profits and losses preoccupied oil executives and "windfall" conferees last week. But only two hard figures and one hard prospect came out of Washington's numerologists.

The figures were December's 1.2 percent increase in the Consumer Price Index, pulling inflation for 1979 to 13.3 percent. The prospect is that cooling the highest rate of inflation in 33 years will be still more difficult. That is partly because of inflation itself. But it is also because of President Carter's decision, reiterated in his State of the Union speech last week, that an aggressive stance abroad requires domestic rearmament — without cutting (difficult enough even in a nonelection year) nonmilitary domestic programs still further.

The effects are already clear in the current budget. As he presents his

Copies of the Federal budget at the print shop.

spending requests for 1981 to Congress tomorrow, Mr. Carter will also report that spending in the fiscal year ending Sept. 30 is headed for over $364 billion (the Congressional Budget Office puts the total at least $2 billion more). That puts the deficit at almost $40 billion against the White House's $29 billion estimate last January. Inflation is responsible for the gap to the extent that it has swollen the cost of Federal programs — from Social Security payments to construction bids — more than it has personal income and so tax receipts based on income. Policy decisions can be specifically pinpointed too — for example, $180 million of a projected $400 million will go in arms aid to Pakistan this year; $2 billion, to buy up embargoed American grain once destined for the Soviet Union.

On paper, 1981 looks better — spending of $616 billion, roughly, and only $16 billion of it in the red. But: a) this is only January 1980, and b) that's on paper. To pull the balance sheet almost into the black, Mr. Carter is counting on three main things. First there is the income from the windfall profits levy on decontrolled oil, set by a House-Senate panel last week at $227.3 billion over 10 years, after a bitter fight over the rates at which to tax the smaller, "independent" oil companies and the larger multinationals. (To industry cries of foul play, supporters of the tax on the House and Senate floors are bound to point out that oil producers aren't hurting even under controls; Exxon, for instance, reported Friday that it made $4.3 billion in 1979). Second, the new, larger defense contracts to be voted in 1981 will actually be paid for in later years. Finally, there is the tax revenues that will come from bracket creep.

But Congressional budget experts urge caution. For one thing, how the windfall windfall will be disbursed still has to be decided. For another, the nonrecession of 1979 could turn out to be real in 1980, and that, Mr. Carter himself has said might warrant a tax cut. And then there is "the historic national accord with organized labor to hold down wages," praised again by the President on Wednesday night. Only the morning before, his inflation fighters accepted a revised pay guideline. From the original 7.5 percent standard, approved increases can now go as high as 9.5 percent — realistically, they could go even higher.

F.A.A. Backs DC-10 Design

Six months after 273 people died in the crash of an American Airlines DC—10 in Chicago, the Federal Aviation Administration last week delivered its version of what went wrong, and what should be done to prevent a repetition.

The plane fell out of the sky when the rear bulkhead of a cracked engine mount ripped off the left wing. Since then, the airline and the DC-10's manufacturer have claimed the accident was the other's fault. According to American, the pylon was defective; according to Mcdonnell-Douglas, bad maintenance caused the crack.

According the Federal Aviation Administration last week, the design of the pylon was basically sound but slight modifications were needed to make it more mechanic-proof. The agency also loosened stringent enginemount inspection schedules ordered after the crash.

Last month, the National Transportation Safety Board, Congress' arm for investigating crashes, faulted not only the airline and the manufacturer but the F.A.A. itself, on the ground that it had not disseminated data on previous DC-10 crashes.

Minorities Amplify Voice in Dallas

Dallas went to the polls last week — 10 months late, but at last with the Justice Department's permission.

Washington had called a halt to City Council elections scheduled for last April on complaints from minority groups in the country's seventh largest city (it is 25 percent black and 10 percent Mexican American) that they were inadequately represented. Under the approved solution, the city's system of selecting eight council members from single-member districts, and three from at large was kept, but the districts were redrawn to assure at least three minority seats — two black, and one Mexican American.

That was in fact last week's result, but it was not the only or the most notable one. In the past, Dallas has been likened by its critics to a corporation, because real-estate and business interests handpicked council candidates, who always won. Last week, though, two of them lost. Progressives took less cheer, however, from the fact that the city's conservative Mayor, Robert Folsom, was re-elected. But a protest candidate, cab driver Tom Gibbons, picked up 25 percent of the vote. That could will embolden a serious opponent to spend the half million dollars or more a Dallas mayoralty campaign costs, next time around.

C.O. Knows Best, High Court Rules

Does signing up for a tour in the military mean you've signed away your right to gripe? Two appeals courts, considering punishments dealt to servicemen who had circulated unauthorized petitions intended for civilian higherups, said no. Last week, however, the United Supreme Court, after reviewing the cases, issued two as-you-were orders, by a 5 to 3 margins. "While members of the military services are entitled to the protections of the First Amendment," Associate Justice Lewis F. Powell wrote in one decision, "the rights of military men must yield somewhat to meet overriding demands of discipline and duty."

In one case, a Marine based in Japan was court-martialed for complaining in a petition to a Congressman about United States support of South Korea. The military said he had violated a requirement that personnel serving abroad must have their commanding officer's approval before circulating petitions; an appeals court had said that the requirement, unless "necessary to the security of the United States," was nonsense. In the other case, an Air Force officer unhappy about military grooming standards was removed from active duty for circulating — without proper authorization — a petition to the Secretary of Defense.

In a minority opinion, Associate Justice William J. Brennan, said the view advanced by the majority "unnecessarily trammels" constitutional rights by "uncritically accepting the dubious proposition that military security requires, or is furthered by, the discretionary suppression of a classic form of peaceful group expression."

Nuclear Regulators Need Regulating

Once again, the Nuclear Regulatory Commission has been found wanting in its ability to regulate nuclear energy — this time by an independent investigative team headed by Mitchell Rogovin, a Washington lawyer, and created at the N.R.C's own request. After seven months of delving into last April's Three Mile Island accident and its implications, the group concluded the commission is "incapable, in its present configuration, of managing a comprehensive national safety program."

Its report calls for a reorganization of the commission under a single executive. The Presidential Advisory Commission headed by John G. Kemeny, president of Dartmouth College, recommended similarly last November — to no avail, since Congress loathes the idea and President Carter did not adopt it. The Rogovin report also recommended the creation of an industrywide consortium, or a public corporation, to operate reactors whose owners are unable to run them safely.

Neither report has called for a moratorium on new reactors or the shutdown of current plants. Indeed, though the Rogovin report said accidents "similar" to Three Mile Island were likely to recur, it also said steps taken since had insured no identical accident would happen.

Caroline Rand Herron, Michael Wright and Daniel Lewis

Kennedy Discovers the Pain Of Running as an Underdog

By ADAM CLYMER

Black Star / Dennis Brack
Stephen E. Smith

Drawings by Victor Juhasz

WASHINGTON — Tomorrow, nearly 12 weeks after he tried it the first time, Senator Edward M. Kennedy will once again declare that he is a candidate for President of the United States. It will be not just an important speech, but a last-ditch effort to set the themes and issues for the campaign, and to prove there still is one.

The reannouncement speech is only one unusual feature of this wounded run for the White House. A second strange element in the campaign has been its unevenness. Field organization has usually been rated superb and television and radio advertisements very good. But in its dealings with the press, it has often been as insufficiently attentive and responsive, and the campaign so far has often muffed its best political shots.

A third unusual element is the internal scapegoat found for the campaign's difficulties. The blame has not been fixed, as often happens, on some issues adviser with an ill-timed idea or even on a campaign manager whose bad strategy is acknowledged after the fact. Instead, the Kennedy campaign seems to have fixed the blame on a painfully logical target — the candidate.

This collective introspection does not go so far as to entertain the idea that Edward M. Kennedy is intrinsically a poor candidate, or, worse yet, that he would not make a good President. But within a continuing campaign — and this one does look determined to go on fighting — it is frankness enough for aides to conclude that the candidate has not been much of a campaigner. The future depends on the assumption that he can be, and the knowledge that an organization is there to help.

To many who have observed him, the reasons that Mr. Kennedy — a favorite in public opinion polls and among politicians last fall — has turned into a long shot seem clear. For one thing, there is his opponent. President Carter has reassured the nation of his determination and leadership in handling the Iranian and Afghanistan crises.

Meanwhile, the Carter campaign, itself poorly organized in the spring and summer, has been pulled together. The smashing victory in Iowa was not only a ratification of Mr. Carter's actions as President, it represented a skillful use of very rough campaign techniques to concentrate the potential support.

At one level, the leader of the Peanut Brigade of Georgians in Iowa, John Pope of Americus, was boasting of telling Iowans on the telephone that Mr. Kennedy "cheats on his wife." On another, television commercials proclaimed: "Iowa will send a clear signal to the world .... do we or do we not support the President as he makes the hard decisions in response to Iran and the Soviet agression in Afghanistan. Let's join the fight for a stronger, more secure America .... President Carter — he's fighting for all of us."

This combination of loyalty and jingoistic manipulation might have been enough to put Mr. Carter ahead anyway, especially in Iowa. Or, even without Iran and the opportunity it gave Mr. Carter politically, the public might have seen fit to reject Mr. Kennedy, because of its views of his character and Chappaquiddick, or because he holds a view of the country's problems and their solutions the nation found expensive and dated. But the Kennedy campaign has certainly made it easier for all those things to happen. The Iran handicap is indeed immense, but Mr. Kennedy's campaign, most analysts agree, has simply not offered a clear statement of why he should be the President. Organization and television ads can help, but they cannot erase a public mindset and create a new one, as Barry Goldwater, George McGovern and Jimmy Carter all found out when their campaigns started faltering.

The biggest mistakes were early. If Mr. Kennedy could not put off his announcement entirely, insiders argue, he could have built his headquarters organization, headed by Stephen E. Smith, gradually. Too many decisions were made by committee.

On the road, the campaign took the bait of a Carter demand that Mr. Kennedy spell out his differences on the issues. There followed a series of detailed speeches, but candidates don't get elected President by promising a better policy on railroad branch lines. That lack of a countervailing Kennedy message only let the underestimated threat of Chappaquiddick grow.

But probably the single most damaging event in the campaign, it seems clear, was Mr. Kennedy's Dec. 2 attack on the ousted Shah of Iran. Sloppily done, it invited doubts about his judgment when tired and pressed. Even worse than the visible damage was the lasting case of shell shock inside the campaign, leaving it afraid to take any risk — even of ridiculing Mr. Carter when he confessed on television on Dec. 31 that he was shocked to learn that Russians lie and have imperialist ambitions — as Mr. Carter's Republican opponents were quick to say.

While tomorrow's reannouncement speech was being drafted, the word here was that Mr. Kennedy had listened to those who said that if he didn't get tough he might as well pull out. And his Irish jaw jutted when he toured his headquarters Thursday and snapped "no" to two reporters who asked if he did intend to quit.

So the expectation was that he would stop playing it cautiously and lash out at Mr. Carter, perhaps joining former President Ford and Ronald Reagan by charging the President's mistakes had invited Soviet aggression and perhaps adding that Mr. Carter's mismanagement of the economy has weakened the nation's ability to respond to international threats.

Those may not be ineffective arguments. And if the speech works, the campaign could make the most of regional chauvinism next month in the Feb. 10 Maine caucuses and the Feb. 26 New Hampshire primary where the Senator, incredibly enough, now is an underdog. But those arguments, or any others that seek to make Mr. Carter the issue, will suffer from the inevitable interpretation that a once-confident candidate is now flinging charges in a desperate, post-Iowa attempt to catch up. Whatever he says tomorrow probably would have been more effective two weeks ago.

As Reagan Goes, So Goes John P. Sears 3d

The New York Times/Teresa Zabala
John P. Sears 3d

By ROBERT LINDSEY

MIAMI — Some followers of the 1980 Presidential campaign have compared John P. Sears 3d, who is directing Ronald Reagan's third try for the Republican Presidential nomination, to Rasputin. Such comparisons are usually made in jest, but they reflect the extraordinarily influential role played by Mr. Sears in the campaign and Mr. Reagan's reliance on his judgments and guidance.

But even Rasputin didn't win them all. And when Mr. Reagan, in an upset, lost the Iowa party caucus vote last week to George Bush, Mr. Sears's critics began saying that the real loser wasn't Mr. Reagan, but Mr. Sears.

Mr. Sears likes to chain smoke and play poker, but he probably gets more enjoyment from the game of Presidential politics. He plays his hand confidently, and he appeared unperturbed late last week by the finger-pointing of his critics and by the success of Mr. Bush (who was declaring at a press conference that if he takes the Feb. 26 New Hampshire primary, the Reagan campaign "will unravel and unravel fast").

In an interview as Mr. Reagan's chartered jet flew over the south toward this city, Mr. Sears said that, apart from Mr. Bush's top-notch organization, he attributed the Iowa loss principally to the fact that three times as many voters had decided to participate in the straw vote as he had expected.

"If anybody had told us there would have been 100,000 people, we'd have done some things differently — we'd have done more television and direct mail," he said.

Mr. Bush, he added, plainly is a force to be dealt with, and Mr. Reagan plans to rise to it by campaigning more intensively in New Hampshire.

Iowa has altered the 1980 campaign, he conceded. "The public's perception of the campaign has changed," he said. "People now think there's a race where they didn't think there was one before. In some ways, that's sort of a relief for us. We won't have a motivational problem anymore."

Mr. Sears has been regarded as one of the country's more astute and articulate political strategists since the mid-60's. Then, as a young law school graduate, he went to work for Richard M. Nixon's New York law firm and later went on to help fashion his successful 1968 campaign for the White House. In 1976, Mr. Sears directed Mr. Reagan's nearly successful bid to wrest the Republican nomination from Gerald R. Ford. A point worth remembering now is that the Reagan campaign got off to a slow start then but, after fine tuning, nearly succeeded.

According to officials on his staff, Mr. Reagan — despite Iowa — continues to rely on Mr. Sears's advice on what he should say and when he should say it. But long before Iowa, analysts said that the cautious, noncontroversial approach adopted by Mr. Reagan made it difficult for voters to judge his capabilities to serve as President.

There has been criticism from some commentators and even some of Mr. Reagan's supporters that Mr. Sears was attempting to stage-manage not only the campaign but the candidate in much the same way that a movie director attempts to create an illusion on the screen, and that in the end it could backfire on Mr. Reagan.

In recent months, two of Mr. Reagan's oldest and closest advisers, Lyn Nofziger and Michael K. Deaver, resigned after having differences with Mr. Sears. The resignations left the impression that Mr. Sears cannot accept dissent within the organization and the appearance that he alone wants to have Mr. Reagan's confidence.

There has also been criticism over an effort directed by Mr. Sears to alter what he calls the public's "perception" of Mr. Reagan, who has long been identified with conservative causes, in an attempt to make him more acceptable to moderate voters. Mr. Reagan's basic campaign plan, Mr. Sears explained recently, was crafted about a year ago. Among other things, it was decided, he said, to use the "front runner's advantage" to set the pace and the agenda for the campaign in such a way that Mr. Reagan's lead in the polls would be protected.

Some critics compared the strategy to that employed in 1968 by Mr. Nixon. Like Mr. Reagan, Mr. Nixon was much better known than his Republican rivals, led early in opinion polls, delayed announcing his candidacy and, in effect, coasted on his lead, saying relatively little that was controversial and remaining aloof from his rivals.

Regarding the effort to revamp voters' impressions of Mr. Reagan, which has been attacked in some quarters as a Madison Avenue-style effort to "repackage" the candidate, Mr. Sears said it would be "impossible" to persuade Mr. Reagan to change his political outlook. Said Mr. Sears: "What we're dealing with at this level is perceptions, not facts; you can change perceptions, but you can't change facts."

Voters, he said, prefer a candidate who is a "doer," who possesses a certain set of beliefs because this indicates integrity and other strengths, but they also want a flexible leader who is not dogmatic and is willing to make exceptions when circumstances require it. Mr. Reagan, he said, has campaigned as a man with these qualities, but he has not changed his basic political outlook, Mr. Sears insisted.

Some analysts had compared Mr. Reagan's campaigning before Iowa to a basketball team that gets an early lead and then attempts to control the ball with a "stall."

Mr. Sears, at least until last week, could shrug off such sniping and point to Mr. Reagan's strong lead in opinion polls. In the days leading up to the Iowa vote, Mr. Sears seemed unabashedly confident that an organization of Reagan supporters that he had to mobilize would turn out the vote for Mr. Reagan and lead his candidate to a big victory.

The loss tarnished Mr. Sears's image as a political miracle worker. But many people who know him say it would be foolish to write him off, based on a possible miscalculation in Iowa.

HEALTH CARE / HOSPITAL / MEDICAL
EMPLOYMENT OPPORTUNITIES

9500

BETH ISRAEL MEDICAL CENTER

NURSE REFRESHER COURSE

Starts Mon., Feb. 11, Days Only

We offer RNs the opportunity to COME BACK TO NURSING! You can learn the latest innovations in nursing techniques — how to operate the newest equipment, and more important, about the changing role of the Nurse in the hospital and the community!

Our 26 session course is given every Monday, Wednesday and Thursday, 9 AM to 3 PM, from Feb. 11 to April 14 by instructors of the highest calibre.

FOR MORE INFORMATION ABOUT REGISTRATION call 212-420-2717 Nursing Personnel Coordinator

BETH ISRAEL MEDICAL CENTER
10 Nathan D. Perlman Pl. NYC
(E. 17th betw 1st & 2nd Aves)

CLINICAL PSYCHOLOGIST 2

SENIOR CLINICAL PSYCHOLOGIST as Director of day program providing intensive psychological, social educational treatment services to children and family therapy. Primary responsibilities: program administration, staff supervision and training, individual, family and group psychotherapy, psychological and psycho-educational evaluation principles and procedures are required. Three years post graduate experience in these areas and some administrative experience are desirable. Also require a Ph.D. in Clinical Psychology from accredited college or university and eligibility for county licensures. Starting salary $1,108 bi-weekly.

Contact Dr. Douglas S. Heister
(305-271-2211)
Miami, Florida
Equal Opportunity Employer M/F

REGISTERED NURSES

ARE YOU . . .

- looking for more involvement in Patient Care?
- ready for a change?
- able to work part time or full time?
- ready to rejoin the work force after being away for a while?
- interested in Per Diem work?

Misericordia Hospital Medical Center, a major voluntary teaching hospital currently undergoing an extensive modernization and expansion program can provide these opportunities to you.

We have positions on all shifts in all nursing areas including the specialties.

We have an active and on-going inservice education program and orientation.

WE HAVE A COMPETITIVE SALARY AND BENEFITS PROGRAM

Please contact Janet Carrelle, RN, Nurse Recruiter, at (212) 920-9643.

Misericordia Hospital Medical Center
600 E. 233rd Street, Bronx, N.Y. 10466
an equal opportunity employer m/f

MEDICAL DIRECTOR, PSYCHIATRIC SERVICES
PHELPS MEMORIAL HOSPITAL

To organize and manage a total community mental health program including the Tappan Zee Mental Health Clinic, all in-patient and out-patient services, consultation-liaison relationships and emergency services.

This full time position requires 5 years administrative and clinical psychiatric experience. Must be licensed to practice medicine in the State of New York, Board certified as specialist in Psychiatry by American Board of Psychiatry-Neurology. Salary negotiable. Diverse socio economic population served by active community hospital.

Send curriculum vitae to Arnold Salop, M.D.,

Phelps Memorial Hospital
North Tarrytown, N.Y. 10591
EEO

THE LONG ISLAND COLLEGE HOSPITAL
A MAJOR TEACHING FACILITY IS SEEKING:

CLINICAL NURSE SPECIALIST-DAYS

A challenging position awaits a Med/Surg Clinical Nurse Specialist. Responsible to the Nursing Staff Development Dept.

Requires thorough knowledge of theory and practice in Med/Surg Nursing, including principles of teaching and learning. Ability to consult and assess learning needs of staff. Responsibilities include planning, implementing and evaluating Staff Development Programs.

Requires BSN and Masters Degree in Nursing and minimum of 2 years recent progressive Med/Surg experience. Prefer critical care focus and 2 years teaching experience. Certification as BCLS instructor desirable.

Send resume to: June Narus Novak, RN
Associate Director Staff Development
The Long Island College Hospital
340 Henry St., Bklyn., N.Y. 11201
An Equal Opportunity Employer M/F/Hdcpd

BIOMEDICAL COMMUNICATIONS MANAGER

Major medical center located in New York City is seeking an experienced individual to manage its various communications activities including photography, medical illustration, motion media and conferences.

Position requires 3-5 years previous administrative experience in the communications field and good technical expertise of audio-visual equipment and media techniques to plan, organize and expedite our communication function. Applicant should have an advanced degree in communication and good oral and written communications skills. Salary commensurate with experience, liberal fringe benefit program available. Send resume with salary history in confidence to:

X 7663 TIMES
an equal opportunity employer m/f

CONTROLLER

Excellent opportunity available in major medical center located immediately North of New York City for individual with proven leadership abilities to coordinate and assist in the direction of hospital activities concerned with financial administration, general accounting, patient accounting, credit, collection, data processing, admitting, financial and statistical reporting.

Qualified candidate should possess a BS in accounting and a minimum of 5 years progressively responsible financial management experience in health care. C.P.A. desirable. Send resume with complete salary history in confidence to:

BOX 367
810 7th Ave, New York, NY 10019
An Equal Opportunity Employer M/F

DIRECTOR OF HOUSEKEEPING

Progressive 533-bed Long Island teaching hospital seeks a highly qualified person with proven leadership ability to direct all housekeeping functions. Responsibilities include all on premises facilities and coordinating the activities of 120 staff personnel. Opportunity for innovation and to expand responsibilities. Bachelors degree required, Masters preferred. Excellent salary, benefits and work environment. Please send resume to Personnel Department.

NASSAU HOSPITAL
250 First St., Mineola, N.Y. 11501
An Equal Opportunity Employer M/F

STOCK & SUPPLIES MANAGER
Staten Island

Our large corporation is currently seeking a Stock and Supplies Manager. We are looking for an aggressive individual with supervisory experience and the ability to deal effectively with people. You must have knowledge of all phases of storeroom procedures. Experience with medical supplies and systems helpful.

We offer an excellent salary and comprehensive benefits. Send resume in confidence to:

An Equal Opportunity Employer
X 7657 TIMES

PHYSICIAN ASSISTANT

The City College PA Program seeks certified Physician Assistants with clinical and educational administrative experience for (2) positions:

ASSOCIATE DIRECTOR
CLINICAL COORDINATOR

Send salary requirements and resume to:

Project Director
PA PROGRAM
510 Lenox Avenue, Room 6207
New York NY 10037

PSYCHOLOGIST PhD

Virginia license eligible-minimum 2 years post PhD experience. Modern Hospital complex's Community Mental Health Center needs PhD for 54 bed inpatient unit. Some outpatient case load. Competitive salary & excellent benefits. Contact:

Director
Maryview Hospital CMHC
3636 High St. Portsmith, VA 23707
(804) 398-2360

Assistant Director Medical Records

Mt. Sinai Hospital, a 540-bed University affiliated teaching hospital, is accepting applications for the position of Assistant Director with the Medical Records Department. Current supervisory experience required. Excellent salary and comprehensive paid benefits program plus free parking. Qualified candidates may contact:

David Hannigan, Employment Manager,
(216) 795-6000, Ext. 3535 (collect).
THE MT. SINAI HOSPITAL OF CLEVELAND
University Circle, Cleveland, Ohio 44106
An Equal Opportunity Employer

DIRECTOR OF DEVELOPMENT

Progressive community hospital, in a desirable suburban location north of NYC, has an excellent career opportunity for a Fund Raiser of proven success. Position reports to Chief Executive Officer. A degree is required, with an employment record of sustantial achievement in charitable development. Send resume and salary history in complete confidence to

X 7703 TIMES
An Equal Opportunity Employer M/F

Director of Speech and Hearing

Rehab Institute of prominent New York area suburban medical complex seeks a hospital-experienced professional to take charge of its Speech and Hearing Program. Speech certification required, hearing certification preferred. Ph.D. desirable. Attractive compensation package commensurate with qualifications. Send c.v. in confidence to:

X 7723 TIMES

Ambulatory Care Technical Assistance

Federal grant sponsored by a Brooklyn voluntary hospital seeks an individual to provide technical assistance to ambulatory health care facilities in Federal Region II. Duties include: systems review, design and implementation-systems include Patient Information (registration), patient flow and billing-preparation and writing of management reports. Applicant must possess excellent written and verbal communications skills. Experience in health care delivery field a must. Working knowledge of accounting and third party reimbursement a plus. Travel required.

Include salary history and requirements with resume

X 7719 TIMES
An equal opportunity employer

DIRECTOR OF PLANT OPERATIONS & MAINTENANCE:

Progressive, modern 181 bed JCAH approved hospital and nursing home facility is seeking a results-oriented individual to organize and develop a hospital-wide maintenance operation to include scheduling of work and preventive maintenance programs. Department includes operation of a sophisticated $10 million dollar plant, water and sewage treatment plants, general and grounds maintenance. Prefer individual with degree in mechanical, electrical or civil engineering or equivalent experience and a minimum of 3 years of health related experience. Strong interpersonal skills required. Position available in late spring of 1980.

Charles Cole Memorial Hospital is located in the north central mountains of Pennsylvania. Area noted for hunting, fishing and outdoor recreational activities.

Salary commensurate with training and experience. Outstanding fringe benefit program. Send resume and salary history in confidence to:

William J. Connors
Executive Director
Charles Cole Memorial Hospital
Coudersport, PA 16915

ER DIRECTOR

Large Westchester hospital has a newly created position for a Director of Emergency Room Services. This physician will be responsible for the operation of a new facility treating over 30,000 patients annually. Applicant must have a minimum of 4 years experience as an ER physician, be at least Board eligible and have proven ability to teach interns, residents and medical students.

Opportunity exists to hire and develop additional ER staff. Salary commensurate with experience. Send resume to:

Mr. N. Cafaro — Director,
THE MOUNT VERNON HOSPITAL
12 North 7th Avenue, Mt. Vernon, N.Y. 10550

BLOOD BANK SUPERVISOR

Progressive, modern, 450-bed university affiliated teaching hospital, located in metropolitan NYC area, seeks individual with 5 years Blood Bank exp to supervise Blood Bank Dept. Supervisory exp preferred; ASCP registration required plus NYC Blood Bank supervisory license. Master's Degree preferred, but not required in Medical Technology or Hospital Administration.

Liberal salary and fringe benefits program. Submit resume including current salary and minimum salary requirement to:

PERSONNEL DEPT.
STATEN ISLAND HOSPITAL
475 Seaview Ave. Staten Island, N.Y. 10305
An Equal Opportunity Employer M/F/H

NURSE MIDWIFE

Certified Nurse/Midwife to join two other midwifes for full practice service in a family centered program.

We are located on Long Island Sound approximately 45 minutes from New York City. This position offers an excellent salary and benefit program.

Please send rsume together with salary history and requirements to:

Employee Relations Department K R
Or Call
203-852-2672
NORWALK HOSPITAL
24 STEVENS STREET, NORWALK, CONNECTICUT 06856
An Equal Opportunity Employer M/F

FALLS CHURCH, VIRGINIA DEPARTMENT CHAIRMAN

Position available for board certified pediatrician in large community teaching hospital with 68 pediatric beds plus 35 intensive care and 64 regular bassinets. Full time neonatologists. Affluent suburban area of nation's capital. Salary negotiated and limited private practice permitted.

For Information write:
Search Committee for Pediatrics
The Fairfax Hospital
3300 Gallows Rd.
Falls Church, Virginia 22046

INFANT PROGRAM FOR CHILDREN WITH SPECIAL NEEDS

Applications being accepted from exceptional candidates to work in excellent rehabilitation center and school. Candidate must have NYS licensure/certification in appropriate areas.

PHYSICAL THERAPIST(S)-must be experienced in NDT approach.
SPEECH PATHOLOGIST(S)-will consider CFY
INFANT SPECIAL ED TEACHER

Send resume to Rehabilitation Center for the Physically Handicapped
102 Wawanda Ave.,
Liberty, New York 12754
(914) 292-5760

EMERGENCY ROOM M.D.

465 Bed general teaching hospital—Yale affiliated. Unusual opportunity—full time MD—career oriented emergency medicine—join 6 other full time MD's. Participate training house staff and medical students—CME—competitive salary—42 hour week—4 week paid vacation—4 week paid education leave per year. Other major fringe benefits. Position available immediately.

Pre-requisites: Connecticut license, experience or training in emergency medicine, general practice, or general surgery. Strong desire to continue own education in emergency medicine.

Contact: E. H. Lyons, MD, Director, Emergency Medicine, Waterbury Hospital, Waterbury, Conn. 06721.

DATA PROCESSING DIRECTOR

Immediate need for S3/15 RPGII. BS desired. Department head status. Responsible for all DP operations. Must interface well with user.

We offer a comprehensive benefit package. Salary commensurate with background. Send summary of expected salary range to:

R. L. Chappell,
Vice President Personnel
BENEDICTINE HOSPITAL
105 Mary's Avenue
Kingston, New York 12401

HEAD NURSES
(Full-Time (1) & Part-Time (1))

Private psychiatric hospital located on Long Island has two opportunities for individuals with several years charge and psychiatric experience. B.S.N. preferred. Positions available are Psychiatric Unit 4 pm-12 am (full time) & Adolescent Unit 8 am-4 pm (part time). Excellent salary and benefits. Call Personnel Department for information and appointments. (516) 264-4000, Ext. 214.

SOUTH OAKS HOSPITAL
400 Sunrise Highway
Amityville, L.I., N.Y. 11701

HOME CARE PROGRAM

Now accepting resumes only for:

ASS'T DIRECTOR FOR FIELD OPERATIONS — SALARY $18,000. BA degree plus 3 yrs experience in health care or public administration with at least 2 yrs. supervisory experience. Must be a RN.
ASS'T DIRECTOR FOR ADMINISTRATIVE SERVICES — SALARY $16,000. BA degree in public or business administration plus 3 year's work experience with at least 2 years in a supervisory capacity. Knowledge of computer services and financial management background.
REGISTERED NURSE — SALARY $17,000. 3-5 years work experience in community health or related field with at least 2 year's supervisory experience.
PERSONNEL SPECIALIST — SALARY $13,000. BA degree or 5 year's experience working with paraprofessionals in health care or community services.
SECRETARY/RECEPTIONIST — SALARY $10,800.
CLERK TYPIST SALARY — $8,600
Reply to: BCS, P.O. Box 379, Bronx, N.Y. 10473

BLOOD BANK DIRECTOR

Blood Bank Director (MD) for medical school teaching hospital. Applicant must have appropriate qualifications for faculty appointment as an Asst. or Associate Professor of Pathology. Interest in teaching and research essential. Board certification in Clinical Pathology or other appropriate disciplines.

Please submit Curriculum Vitae and letters of reference to: George P. Studzinski, MD, Ph.D., Professor and Chairman, Dept. of Pathology.

COLLEGE OF MEDICINE & DENTISTRY OF NEW JERSEY
NEW JERSEY MEDICAL SCHOOL
100 Bergen St., Newark, NJ 07103
Equal Opportunity/Affirmative Action Employer M/F

NURSE ANESTHETISTS

Progressive Nassau County hospital has a full time position available for an experienced, NYS licensed C.R.N.A. This position offers an excellent salary and benefits program in a rewarding professional environment. Contact the Personnel Department, (516) 432-8000, ext 345

LONG BEACH MEMORIAL HOSPITAL
455 East Bay Drive
Long Beach, N.Y.
An Equal Opportunity Employer M/F

NURSE ANESTHETIST
CRNA

Position available in Department of Anesthesiology for rotating shift (O.R. & O.B.) weekdays. Promient voluntary hospital, conveniently located in New York City. Qualifications: Certified or recent graduate. Reply, in confidence, with curriculum vitae, to:

X 7675 Times
An Equal Opportunity Employer M/F

ALLERGIST

Board certified or eligible. Part-time Tuesday AM clinic. NYS license required.
Call 212 387-3010 Ext 400 between 10 AM & 4 PM

SOCIAL SERVICES PROGRAM COORDINATOR

For community based program. Experience with mentally handicapped adults, leadership and administrative skills, coordinate direct service program. Send resume to AAMH, 134 Nassau St. Princeton NJ 08540

Listen to this Long Island!

Here's how your ad will work in the Sunday New York Times.

Less than $6 and you can talk to over 850,000 readers in Queens, Nassau and Suffolk counties to sell your car or fill a job. And another 400,000 in Brooklyn to sell your house.

Call now.

In Queens/Brooklyn ..... (212) 354-3900
In Nassau ..... (516) 747-0500
In Suffolk ..... (516) 669-1800

The New York Times

JOB SEEKERS

SEE OUR AD IN CAREERS IN EDUCATION

DAVAN TRANSITION SERVICES
600 Second Ave., New York, N.Y. 10017
(212) 986-1234

ASST to CHAIRMAN of OBS/GYN

BS or MS in Business Hospital or Health Administration in a hospital, an academic health center or other clinical setting. Submit resume to Martin L. Stone, MD, Dept. of Obs/Gyn, SUNY at Stony Brook, L.I., N.Y. 11794. Equal opply/affirm action employ.

ADMINISTRATIVE POSITIONS

Over 450 currently available administrative and managerial positions in the Health Industry nationwide are listed bi-weekly. For free sample copy and subscription form send stamped self addressed envelope to:

Health Careers Digest
P.O. Box 1463, Dept. NT
Secaucus, N.J. 07094

OBSTETRICAL ANESTHESIOLOGIST

Call
212-240-1445
Between 9-3
Mrs. D. Solomon

N.J. LICENSED PSYCHOLOGIST or LICENSED MARRIAGE COUNSELOR

Part time, Wayne, New Jersey area. Skilled in individual and marital therapy. Reply to:

Box 118
Oakland, NJ 07436

PROGRAM SUPERVISOR

A new residential treatment facility for mentally retarded adults in Nassau County needs experienced supervisor. Master's plus some supervisory experience required. Salary $13,000 to $15,000.

X 7607 TIMES

OCCUPATIONAL THERAPIST

REGISTERED — FULL TIME

SNF-HRF. Excel oppty. for innovative therapist with geriatric exp. Good salary & benefits. Submit resume and salary req. to:

PERSONNEL DIRECTOR
WARTBURG LUTHERAN HOME
2598 Fulton St.
Brooklyn, NY 11207 EEO

HEALTH PLAN

Seeking personnel for Provider Relations Department. Experience dealing with physicians and hospitals. Knowledge of hospital fiscal operations. Excellent opportunity in growing company. Salary open. Reply with resume.

P.O. Box 2374
GPO NY, NY 10001

INTERNIST

Pulmonary sub-specialty

PART TIME

Board certified or eligible. NYS license required.
(212) 387-3010 Ext 400 or 575
between 10AM & 4PM

INTERNIST OR FAMILY PRACTITIONER

For ambulatory geriatric care. Part time. Bilingual Spanish/English preferred. Call:

Y. Sanchez
(212) 289-6650 X 238

N.Y. County PSRO Ambulatory care dept. seeks Registered Nurse Review Coordinator with BS degree to conduct on site review thruout N.Y. County. Salary $15,000+fringes. Send resume to NYCHSRO, 50 W. 23 St., N.Y., N.Y. 10010. Attention: Joseph Stamm. EOE.

STAFF LPN PART TIME

Requires high school graduate plus graduation from a recognized 1-year practical nurse program. NYS license required. Experience in outpatient department preferred. Hours 4 PM-8 PM on Monday through Thursday, 9AM-3PM on some Saturdays. Competitive salary. Please send resume to:

South Brooklyn Health Center Inc.
120 Richards St, Bklyn NY 11231
Attn: Rita Pabon, Personnel Manager

SOCIAL SERVICE

Intake, admitting, familiar with medicaid procedures—clerical skills. Voluntary SNF-HRF on Brooklyn Queens border. Self-starter. Must be organized, efficient and responsible. Excellent benefits.

Call Personnel, 496-2340

PHYSICAL THERAPIST

Modern 240-bed skilled nursing facility in Lower Westchester seeks dynamic full time registered physical therapist.

Send resumes to:

X 7593 TIMES

MSW DIRECTOR

Meals on Wheels Program. Multi-service home-bound meal program. Experience in supervision, budgeting and government agencies.

Resume to:
ISAACS-MEALS ON WHEELS
415 E. 93 St., NYC 10028

CHILDCARE WORKERS/ HOUSEPARENTS

Needed for private childcaring agency as live-in substitute parents for adolescents in Northeast Bronx. Some experience working with children required. Full support of professional staff. Excellent salary & fringe benefits. For information call 212-489-7874 or 914-876-7122.

An Equal Opportunity Employer

RADIOLOGIST

Permanent full time staff position is available for a board certified radiologist in our major teaching hospital situated in the metropolitan New York area. Please write for an immediate appointment.

BOX 588, Suite 1501
183 Madison Av, NYC 10016

SOCIAL WORKER MSW

Experienced full time social worker needed for 240 bed skilled nursing facility. Excellent salary and benefits. Send resume to Mr. Elk, White Plains Nursing Home, 3845 Carpenter Ave., Bronx, N.Y. 10467

LEARNING DISABILITIES TEACHER

Individual and small group instruction. Masters in Special Education required. Part time including Saturdays. Fee starting $7-$8 per 45 minute session. Send resume to Miriam Dworkin, PhD, c/o

NEW HOPE GUILD CENTER
971 Jerome Street,
Brooklyn, NY 11207

PSYCHOLOGIST

Review Course For April & Oct
Psych Licensing Exam
Home-Study mat'ls also avail

ACADEMIC REVIEW
160 W. 71 St., NYC 10023
(212) 724-6011

INTERNIST FP or GP NEEDED

For half time high volume medicaid practice in the Bronx.

Please call after 8 P.M.
(212) 860-0041

The New York Times

Founded in 1851

ADOLPH S. OCHS, Publisher 1896-1935
ARTHUR HAYS SULZBERGER, Publisher 1935-1961
ORVIL E. DRYFOOS, Publisher 1961-1963

ARTHUR OCHS SULZBERGER
Publisher

A. M. ROSENTHAL, Executive Editor
SEYMOUR TOPPING, Managing Editor
ARTHUR GELB, Deputy Managing Editor
JAMES L. GREENFIELD, Assistant Managing Editor
PETER MILLONES, Assistant Managing Editor
LOUIS SILVERSTEIN, Assistant Managing Editor

MAX FRANKEL, Editorial Page Editor
JACK ROSENTHAL, Deputy Editorial Page Editor
CHARLOTTE CURTIS, Associate Editor

TOM WICKER, Associate Editor

Beyond Politics and Bluster

Of the three main dangers raised for him by the Soviet invasion of Afghanistan, President Carter has now dealt adequately with two. He has moved to save himself politically and to avert a dangerous miscalculation by the Soviet Union. But he has barely faced the third, the Soviet calculation that the West can be gradually dislodged from the Middle East and Central Asia. That danger will not be met overnight; it calls for the most patient diplomacy, tailored to many different situations. How it is managed will be the only basis for judging Mr. Carter's new turn.

After his years of equanimity about Soviet power, the immediate danger was to the President himself. The Russians struck just as Mr. Carter was being accused of naiveté and military neglect. They chose aggression as he was pushing the SALT II treaty and Soviet-American accommodation. Whether or not they intended such provocation, the Soviet leaders left Mr. Carter and his supporters feeling distinctly betrayed.

The President has turned the affront to glittering political advantage. He runs now as Commander in Chief while his rivals are left looking like mere office-seekers. As someone put it, he has the benefit of Pearl Harbor without the sinking of a single American ship.

•

But that political gift did not diminish a wider danger to the United States. Afghanistan was proof that a massively armed Soviet Union is prepared to enlarge its military orbit and to use a growing military reach to challenge Western interests. No matter how defensive the motive for the invasion, the effect was threatening to other nations. The nearest of them, notably Pakistan and Iran, are vulnerable to attack, and also to the subtler aggressions that a giant neighbor can sponsor.

Mr. Carter could not rule out an attack beyond Afghanistan. That the Russians would risk a political explosion in the United States — or so underrate the chances of it — only magnified the concern. How docile or indifferent do they imagine us to be? That they embarked on adventure in the final days of their own aging leadership was further cause for anxiety: What ambitions now drive the Soviet succession struggle?

Given the risks of miscalculation, the President's first responses were crucial. The costs of the invasion had to be quickly raised to demonstrate American concern for the security of the Persian Gulf. Mr. Carter's decision to threaten intervention, to increase military spending, to aid Pakistan, China and even Iran, and to deny the Russians grain, trade, fishing rights and the Olympics will not force a retreat from Afghanistan. But it surely sends the right message.

•

These responses, however, only gain time, not position. Duly alerted, the Russians are not so mad as to risk a direct Soviet-American conflict. Yet their power will confront Asian instability — and Western vulnerability — for many years.

And there is no firm terrain on which to build Mr. Carter's new wall of containment. Military pacts and bases will not stand up well in the region's political, ethnic and religious storms. Importing American power will arouse as many radicals as it will reassure conservatives, without resolving their conflicts. Military aid may temporarily sustain some strongmen, like Pakistan's General Zia, but it will also produce colonels like Libya's Qaddafi. Economic aid can help, but it is no guarantee of political pliability.

Stability in the region from Turkey to Pakistan is a long-term project that cannot be designed or paid for by Americans alone. The regimes that profit most from the area's oil, and the allies who crave it, need to be partners in defending that treasure. Less Western dependence on oil remains essential to any defense. And so, paradoxically, do relations with Moscow that could be used to induce future Soviet restraint.

To give meaning to his stated purpose, in other words, President Carter will have to move beyond the heady politics and bluster of the moment to a truly global statecraft. Doctrines can be proclaimed; foreign policy can only be created.

On Sex and the Draft

President Carter's proposal to revive registration for a draft seems to be degenerating into a debate about sexual equality. In some quarters, anyway, virtue and patriotism now depend on a willingness to put women into the trenches. Some would serve equality by putting women behind typewriters at headquarters; others are aghast that all the male typists would then be sent to the front.

It's easy to understand why the parlor talk has turned this way. Critics of the campaign for women's rights are always delighted to find women encountering the same problems that used to beset men more — from lung cancer to military service. And opponents of the Equal Rights Amendment are always eager to point out the risks of equality for women, overlooking the fact that this latest problem has arisen *without* adoption of the Constitutional amendment they dread.

Such discussions are of course premature. The President has not proposed a draft, merely registration for it. He won't say whether women should be included until he sends the proposal to Congress on Feb. 9.

The debate over sexual equality seems to us beside the point. *Of course* women should be required to register for the draft — if men are. If women are equal before the law, the law should impose equal obligations on them. And if one day there is a military call-up, women should be drafted along with men and trained for any jobs that they are physically able to fill. That, too, is the meaning of equality.

Those are the simple questions. Their answers say nothing at all about the more difficult problems of fairness in some future draft. Since the pool of available men and women is larger than the likely need of the armed forces, how will the nation decide whom to summon and whom to exempt? Is it fair to cut off the draft at ago 26, as before, or to let college students be deferred again? Shall married citizens be treated differently from the merely coupled?

Beside these questions, fairness between the sexes seems easy. Fairness between those who are to be drafted and those who are not is harder to imagine. Fairness between those who are sent into combat and those who are not seems impossible. Those are the problems the nation should be pondering now.

The Results of the Iowa Results

If Iowa wishes to be the first bellwether of Presidential campaigns, as we were saying the other day, it needs a truer bell. Now come two sets of figures giving still more evidence of how fragile is the way Americans select their Presidential candidates.

Iowa uses a system of precinct caucuses. If they were held in March, say, we could have no complaint. The problem arises because Iowa comes first. Increasingly, candidates, Iowans and the lens of national journalism have made the caucuses look like a Presidential preference primary, five weeks before the traditional first primary in New Hampshire.

But polls show that the political enthusiasts who attend the caucuses are not representative of the electorate as a whole. Neither are their candidate preferences. In fact, among Republicans, Presidential preference is indicated only by a straw vote. So the bellwether results the country came away with on Iowa's "election" night may very well be misleading.

Beyond that, even those *caucus* results were incomplete. George Bush did not win, 33 to 27 percent, after all; that was the count when a computer malfunctioned. The final percentages show a Bush victory, but a much closer one — 31.5 to 29.4 percent, or 33,530 Republican straw votes to 31,348.

Now, consider the result produced by that margin of 2,182 straw voters. ABC News and Lou Harris took a national poll the day after the caucuses. It showed that in a week, the number of Republicans and independents who favored Mr. Bush had jumped from 6 percent to 27 — and the number who favored Mr. Reagan had dropped from 45 percent to 27.

We do not wish to detract in the slightest from Mr. Bush. He worked hard for and earned his surprising Iowa victory, and he did it within the system. It is the system that makes us wonder.

Topics

Winter Sport

Upper Bunker

For incurable television watchers, spring begins in January, when the professional golfers start what they love to call their "tour," broadcast Saturday and Sunday afternoons. And for those who treasure the late afternoon nap on the porch hammock as an August delight, golf in January is an acceptable substitute. Stretched out on a sofa in front of the set, the napper finds sleep irresistible. No sudden thunderstorm, no buzzing of bees. Nor does some sudden roar jerk one upright to catch a replay of the loudly unmatchable touchdown.

And the announcers cooperate. Some Van Winkles probably drop off at the very first observation that the player about to hit an approach, "hasn't got a lot of green to work with." More restless souls may twist and turn until they hear the old reliable soporific: "Charlie's gone to school on Bill's putt." But we doubt that even an insomniac can resist lines like, "Jack has a very testing four-foot putt to make. It's a bit of a character-builder." And so, with strengthened character, to sleep.

■

Believing

In August of 1973, the New York Mets were in last place in the National League but, in pitcher Tug McGraw's view, "You gotta believe." They did. An amazing month later, they won the pennant. In August of 1977, 1978 and 1979, they were also in last place, and that's exactly where they finished.

These recent Met teams have been beyond belief. Ineptness had been an early and beloved trademark. Crowds elsewhere might see one-hitters or grand slams; only Met fans could watch Marv Throneberry stumble after a pop foul. But the ineptness spread to management as — incredibly — one star after another was dealt away. Wait till next year? The fans didn't. Last season, for every paying Met customer, the Yankees attracted three.

Now the team has been sold to new owners who seem capable of turning New Yorkers into believers again. One partner is experienced in the business end of sports; another traces his lineage back to the founder of the game. The name Doubleday is to baseball as Franklin is to lightning, which is what all of us, even Yankee fans, hope strikes for the Mets.

Letters

A Mad Rush Toward Military Confrontation . . .

To the Editor:

The Soviet military intervention in Afghanistan and United States overreaction represent the most serious setback to international relations since the Vietnam War, and an alarming threat to peace now and for the foreseeable future. The militarists on all sides are having a heyday, at incalculable cost to the economic and physical security of us all.

In the present belligerent atmosphere it may be hard for people to recall that the Soviet Union has been cautious over the years in throwing its military weight around, except where its own borders were concerned. Despite its treaty commitments, it did not intervene when China invaded Vietnam. Like the U.S. since its own intervention in Vietnam, the Soviet Union has until now used only surrogates in combat beyond its own region.

Along its own borders, however, it has more than once intervened militarily, in states handed over to it by Roosevelt and Churchill. The Soviet Union has a 1,000-mile border with Afghanistan.

Last December, refusing to respond to concrete Soviet initiatives for nuclear arms reductions in Europe, NATO decided instead to deploy a new generation of nuclear weapons — capable of a first strike and practically unverifiable — aimed at the Soviet Union. A similar fate has met the Russians' recent proposals for a European disarmament conference, for an agreement by nuclear countries to halt nuclear weapons production and for a nonaggression pact between NATO and the Warsaw Treaty Organization. Earlier, because of Camp David, they felt themselves edged out of the role designated for them by the U.N. in Middle East negotiations.

The Soviet leaders saw, moreover, the faltering of SALT II, which would have begun to stabilize the arms race. They heard President Carter agreeing to a 5 percent real annual increase in the military budget. They saw a threat to their southern border plans by the United States to establish several new bases in the Persian Gulf area and to create a 150,000-man "rapid deployment" force for use there, and in contingency plans to seize oil fields and ports.

We cannot know at this time the extent of alleged C.I.A. and Chinese training and equipping of Afghan rebels. Perhaps indications that the U.S. would "play the China card" most worried Moscow.

Difficult as it is for Americans to believe, the Soviet Union does have reason to fear the intentions of the United States. Such fear may have precipitated its move to assure a friendly government in Afghanistan.

The greatest need is to arrest the present mad rush toward military confrontation. The most sensible move for the U.S. would have been to support a United Nations resolution for withdrawal of all foreign military and covert operations in Afghanistan and demilitarization of the area.

The least sensible move would be to send arms to China, the Afghan guerrillas or to Pakistan, which is assumed to be developing a nuclear bomb. What is called for in the face of this military hysteria is a freeze on all weapons production and deployment.

Caving in to the militarists and accelerating the arms race is the ultimate foreign policy failure. The human race today has no choice but to cooperate for its own survival.

Eisenhower once said, "People want peace so badly that governments ought to get out of their way and let them have it." Speak up, people. This may be your last chance.

KAY CAMP
International President
Women's International League
for Peace and Freedom
Philadelphia, Jan. 16, 1980

. . . Or a Chance to Turn the World Toward Peace?

To the Editor:

In Goethe's "Faust," Mephistopheles suddenly appears and, to Faust's inquiry, replies: "I am he who intends evil but does good."

Just so, Russia's brutal invasion of Afghanistan may yet do good and mark a historic watershed if it succeeds in shattering the last lingering illusions as to its peaceful intentions and finally awakens the world to the need to cry "Halt!" to its imperialist expansionism. Hopeful repercussions can already be discerned.

Mark Podwal

First was the miraculous conversion of President Carter, certainly the most remarkable since St. Paul's revelation at Damascus. Equally welcome was The Times's statement (editorial Jan. 20) of the need for a frankly proclaimed policy of containment, balance of power, greater countervailing strength and confrontation or understanding.

Most remarkable and pregnant with great promise for the future were the 104 votes in the U.N. General Assembly, including those of the majority of third-world nations, condemning Russia's invasion. This unprecedented vote expressed their profound disillusionment with Russia as their "natural ally." If the United States and the West can build upon this disillusionment to establish a new relationship with the third world, the entire global balance of power in favor of peace could be restored.

The bankruptcy of the policy of "evenhandedness" has been at least tacitly acknowledged, and we seem at last to be ready to "play the China card" in order to form a global coalition to resist aggression and aid the third world in its peaceful development.

Finally, the Iowa caucuses clearly show that the American people are casting off their self-paralyzing post-Vietnam complexes and fully endorse President Carter's resolute but measured responses and the new course he has set to halt Soviet expansionism.

The question of whether the Soviet Union has miscalculated depends now entirely on the will and determination of America and its leaders. If we falter and retreat, we will suffer another, perhaps irreparable, defeat. But if we remain steadfast and ready to make any sacrifice required in support of the President's new course, and thereby stiffen the will of our allies, Goethe's prophetic words may yet be fulfilled. We have the wherewithal. Do we have the will?

ELIAS M. SCHWARZBART
New York, Jan. 22, 1980

The Catacombs of the American Desert

To the Editor:

As MX missiles spun in my brain between nerve endings and synapse responses — 200 going like mad through a 30-mile underground maze — I considered the workforce of perhaps 100,000 it will take, making Versailles as a project a mere pittance.

That court, at the height of construction, had 36,000 laborers, who diverted rivers and streams, built splendrous gardens, geometrically shaped lakes and many baroque statues, and created a palatial masterpiece that was copied throughout the Continent. Though this testament to Louis XIV was the height of decadence, and the best reason for the French Revolution, there was something to show for it.

But with the MX, it shall be entirely underground: No telltale signs, except for our knowing that there is more than meets the eye. In a millennium the Utah and Nevada deserts might hold the same interest for sightseers as the catacombs of Rome.

JIM SPIVACK
New York, Jan. 20, 1980

Russia in OPEC's Place

To the Editor:

No matter who controls the Mideast oil fields, we will pay top dollar until we reduce our dependence on that oil. Why then should we, at the risk of starting World War III, keep the Russians from displacing the present owners? They might be more efficient producers, and they might save us money by eliminating the corruption that is an element of the present price.

ARTHUR C. MERRILL
Locust Valley, L.I., Jan. 21, 1980

Justice Douglas and the Rosenbergs

To the Editor:

It was Wednesday afternoon, June 17, 1953. Two boys, aged 10 and 6, were dancing around a New Jersey cottage, singing, "William O. Douglas for President!" Their names were Michael and Robby. At that moment their parents were not with them. They were sitting on Death Row in Sing Sing prison. Their names were Ethel and Julius Rosenberg.

I was one of those boys. I have never forgotten Mr. Justice Douglas's action. With the stroke of a pen, and more than a little courage, he had started a process that could have led to the ultimate reunion of our family. He had issued a stay a day before their scheduled execution; as the Court had just recessed, the execution would be postponed until fall at the earliest.

Meanwhile, evidence was coming to light that cast new doubt on my parents' guilt. Clemency telegrams were deluging the White House. The Court had previously refused to review the case. Maybe the next time around would be different. Maybe public opinion would change President Eisenhower's mind about clemency. I am convinced Justice Douglas's act of courage almost saved my parents' lives, and I once wrote him to thank him for just that.

Courage was a rare commodity in 1953. It was a time when reporters could not get people to sign the Bill of Rights. The Internal Security Act was in force, providing for detention centers where people could be held without bail or trial. The conceptration camps where Japanese-Americans spent World War II were refurbished, and a security index was maintained to provide for quick roundups. The Korean War was still on, after almost two years of peace talks. The Justice himself felt the wrath of Representative Wheeler of Georgia, who introduced an impeachment resolution.

Mr. Justice Douglas's colleagues proved more in tune with the politics of the times. A majority of six frustrated his courageous action by going into special session and overruling him. Only Justices Black and Frankfurter supported his stay. My parents were executed that Friday.

Less well known is an opinion he expressed within the Court. In May of 1953 he wrote to his colleagues that he believed the prosecutor's reprehensible conduct had denied my parents a fair trial. This should be understood in the context of the full Court's failure to ever affirm the fairness of the trial.

As a courageous man, as a brilliant man, as a bulwark of the constitutional protections for individuals no matter how politically unpopular — that is how we all should remember William O. Douglas. I'm glad I got to extend my thanks to him before he died.

MICHAEL MEEROPOL
Associate Professor of Economics
Western New England College
Springfield, Mass., Jan. 21, 1980

Let the Olympics Go On

To the Editor:

If there were an Olympic chest-beating event, President Carter would do well, having practiced with his recent series of announcements for punitive action against the Soviet Union. In fact, there are events in which other U.S. athletes have traditionally done well, despite heavily financed teams from other nations. This year, the contrast would be underscored as Americans compete on the comically propagandistic Soviet fields.

Let the cameras record the obvious, as they did in 1936 when Jesse Owens symbolized the free world's cause.

JOHN HARTLEY
New York, Jan. 21, 1980

Anthony Dollar Haven

To the Editor:

In response to William Howells's Jan. 20 letter, "Why Nobody Wants the Susan B. Anthony Dollar," it should be noted that the coin is alive, well and in brisk demand for the slot machines of the cheap peeps of the pornography parlors in New York City and, I suspect, around the country.

There is a very strange irony and perhaps a moral in here somewhere.

RADCLIFFE A. JOE
New York, Jan. 20, 1980

•

To the Editor:

I can think of one quick and easy solution to the problem of Susan B. Anthony dollars: Put them in rolls of 20 and sell them for $19.

They will be snapped up quickly by bargain hunters, who, to realize their profits, would try to put them in circulation. Since they would have no luck either, they too would have to discount them.

In time — and I don't think it would be too long — a Susan B. would be selling for a quarter, at which point it would be acceptable everywhere.

In the meantime, the Bureau of the Mint would be saving money on storage, on security and on further promotion, and it could move on to the next project, which I understand is a copper dime.

TIMOTHY J. COONEY
New York, Jan. 20, 1980

The Times welcomes letters from readers. Letters for publication must include the writer's name, address and telephone number. Because of the large volume of mail received, we regret that we are unable to acknowledge or to return unpublished letters.

The Evening Bulletin

Second-class postage paid at Providence, R.I.

MEMBER OF THE ASSOCIATED PRESS

The Associated press is entitled exclusively to the use for republication of all the local news printed in this newspaper, as well as all AP news dispatches.

Offices in Other Cities

New York. Room 1218, 247 Park Ave.
Boston Room 479, Statler Office Bldg.
Chicago 405, 400 No. Michigan Blvd.
Washington 1203-05 National Press Bldg.
Atlanta Fulton National Bank Bldg.
San Francisco Room 1467, Russ Bldg.
Los Angeles 711 So. Vermont Ave.
Detroit 6-223 General Motors Bldg.
Philadelphia 643 Phila. Nat'l Bank Bldg.
Pittsburgh Room 710, Grant Bldg.
Charlotte, N.C. 608 Wachovia Bk. Bldg.

Subscription Rates by Mail

DAILY JOURNAL. One year, $18.00. Three months, $4.80. One month, $1.80.

SUNDAY JOURNAL. One Year, $13.00. Three months, $3.25. Single copy, 25c.

EVENING BULLETIN. One year, $21.60. Three months, $5.45. One month, 1.85.

Telephone DExter 1-0600
Classified Ads DExter 1-8000

Wives of astronauts line up at interview in New York yesterday. L-r they are Mrs. Louise Shepard, Mrs. Rene Carpenter, Mrs. Jo Schirra, Mrs. Margie Slayton, Mrs. Annie Glenn, Mrs. Betty Grissom and Mrs. Trudy Cooper.

—Associated Press Wirephoto

Leveroni

Continued from Page One

in Madison Square Garden. I had a dogcart, made by Brewster's in London and I used to get my clothes in London, too."

It was in Paris that he met his future wife, Jennie Carr of Providence, who was a buyer for the Shepard Company. She died in 1941.

Children? "I didn't have time to have any children. If I had, I would have given them vocal training."

Mr. Leveroni sang ("Anything, but I don't like ragtime") in Boston and Chicago theaters, once in an opera chorus behind Adelina Patti.

From his account, his life was a series of ventures in which good friends and patrons helped him. The life began in Rapallo on the Italian Riviera near Genoa. He left home, stowed away on a ship by climbing through the anchor hole and landed in Africa. "I ate bananas and coconuts for three or four days."

He voyaged to Philadelphia and thence to New York, where he blacked shoes for a while. He remembers sitting on a curbstone, eating doughnuts and then being knocked sprawling into the street by a policeman.

Mr. Leveroni said he responded by applying a brick to the policeman's head.

Several adventures later, he was in Boston, where he studied music and was befriended by a succession of people who took a liking to the boy from Italy.

He talked at random about romantic alliances, the Latin Quarter in Paris, the dark machinations of a Rhode Island solon (unidentified), the great days at Newport and Watch Hill and the peccadillos of the wealthy. Somewhere along the line, he became a naturalized American (which prevented his being drafted into the army on trips back to Italy).

"I didn't spend money. When I could, I visited in houses. In a hotel, you don't meet anybody. You pay your bill and get out."

At the Broad Street home, Mr. Leveroni has been very active until this winter. Apart from singing to the staff at the eye clinic, he has seldom been out.

He expressed little sense of wonder at his upcoming 100th birthday. "I had my day; I'm ready to go," the old man said. "All my friends have gone. I'd like to be with them."

But in the next breath, he talked enthusiastically about one of the things he'd like to do over if he had time. There was a period when he was a traveling agent for tourist trips along the Riviera from Rapallo to Nice.

That meant fat commissions, at little expenditure of energy, from hotels and restaurants where the tourists were induced to stop.

Mr. Leveroni gloats over the potential of such an occupation. "It's a cinch, just what I would do."

A partnership was immediately drawn up: the reporter and Mr. Leveroni would steam away to pluck gold from the Riviera. "You've got to have the language, so I'll go along," he said, carrying out the jest.

"O Bella Napoli!" he sang and his tired eyes danced as a nurse came to help him from the rocking-chair back to his bed.

Flu Continues Spread in State

Influenza and respiratory infections continued to climb last week, the state health department reported today, with flu cases mounting to 128 as against none in the comparable week a year ago.

As was the case in the preceding week, flu cases reported were most numerous in the suburban communities of East Greenwich, Foster and Scituate, with 50, 28 and 36 reported cases, respectively.

Pneumonia cases reported in the week ended Feb. 24 totaled 22, as against one a year ago in the similar period. The pneumonia cases were scattered, with seven in Warwick, six in Providence, five in West Warwick, and two each in Cranston and North Kingstown, Dr. Joseph E. Cannon, health director, reported.

Nugent

Continued from Page One

superintendent recommend teachers, including principals, supervisors, and assistants, to the school committee "is a duty imposed on the superintendent, not a limitation on the powers of the committee."

He said the position in question was listed in the policy book of the school department in the section devoted to administration, a salary ratio was assigned it, as with all administrative officers, and it was listed in the departmental directory under "administration."

Dr. Clarence S. Taylor, superintendent of schools, has described the directory as having no official standing and as being chiefly valuable for listing the addresses of school employes. Judge Mullen, however, viewed it as having sanction and approval. He said the directory apparently indicates that the department was presenting Mr. Tougas "as the head of a department or section of school government."

Dr. Walsh originally ordered the general treasurer to withhold all state aid money from Warwick. Later he amended his order to apply only to education aid.

Some $178,000 of horse racing and liquor revenues were then released to the city.

To Face Court Today

William D. Riley, 32, of 28 Ridge St., Cranston, was picked up by Providence police yesterday and charged with illegal possession of lottery slips. Detectives said Riley was picked up at Guy's News Stand, 71 Plainfield St., at 12:40 p.m. A search of his pockets turned up several lottery slips, police said. He was released to appear in district court today.

JAYWALKING IS CHEAPER

St. Louis —(UPI)— The board of aldermen has made it easier for jaywalkers. The board voted yesterday to drop the fine for the misdemeanor from $7 to $2.

He's a Down-to-Earth Judge

Continued from Page One

"This whole situation is crazy," he said to the father. "You've got no right to be playing mother to these kids. They belong with their mother. I don't care what you accuse her of, but until I have evidence that she's unfit, she's going to have those children.

"And you, young fellow," he said to the father. "You go out and get a job. A man's place is working; not being a mother."

Judge DeCiantis has said often: "Unless a woman is proved no good, she should have her children. Kids need their mother. They can't get the care and devotion from any other person. To be deprived of a mother's love can hurt a child. It makes them insecure and hurts their future."

But he will fight just as hard against mothers who turn children away from their father. "This is a dirty trick. No matter how much parents hate each other, they shouldn't involve the kids. Children want to love both parents and I think its shameful to forrce them to take sides."

He doesn't mind occasional outbreaks among his spectators. Sometimes these episodes erupt into knock-down drag-out verbal brawls with members of opposing families shouting passionately to refute testimony.

In one such case a husband was testifying that his marriage would have been all right if his mother-in-law hadn't interfered. "She just can't mind her own business," he said.

The mother-in-law leaped from her seat in the rear of the court room. "That's a dirty lie," she shouted. "I never butted in except when my daughter called me up to tell me that he was drunk and beating her up."

A sheriff hurried to quiet the woman, but Judge DeCiantis waved him back. "Let her talk, It's okay. Let's be folksy about this and hear everyone."

Soon several persons were shouting. Lawyers threw up their hands. The judge sat back, restraining a smile as the yelling continued for several minutes. Then he called a halt.

Later, he explained why he let the argument go on. "You can catch people off guard that way. You get a pretty good idea of what they're like."

His courtroom runs the gamut of domestic problems and he has made comments that mark his individuality. For example:

Naps for children: "You're entitled to visitation rights, young fellow, but for the love of Mike, get the boy back home on time. He's got to have his nap and everything. I like to take my young grandson out, too, but if I don't get him back on time there's hell to pay from my daughter."

Fighting parents: "You go up to see the children and your ex-wife has a chip on her shoulder. The minute you walk in there's a fight. My opinion is that they ought to have a whip for such people instead of the courts."

In-law interference: "I don't like this business of someone's mother or brother or sister sticking their noses into an argument between a man and wife. Don't pay attention to them. You've got your own home now. They might have good intentions but it's none of their business. The children have got to look up to you and you've got to have the guts to withstand a lot of things. If you don't have the guts, it's the kids who suffer."

Wife-beating: "I'll stop wife-beating in this state if it's the last thing I do. I think most women want to preserve their marriages. A woman might stand for her husband going out but she can't stand abuse.

"Imagine you staying home waiting for your husband to come and you don't know whether you're going to get a slap in the mouth or a kick. It makes women edgy. They don't know how it's going to be when the man comes home, maybe drunk and abusive."

President Asks Boy to Go To the Moon, So He Does

Long Beach, Calif. —(AP)— The day after Astronaut John Glenn Jr. orbited the earth, school teacher Corinne Orr asked her pupils to write essays on what they'd like to be.

She suggested they imagine they were already the persons they hoped to become.

Her third graders at the Bryant Public Elementary School went to work.

Here's what Mike Donoho, 8, printed in pencil, under the heading "I Was an Astronaut:"

"One day the President sent me a letter. It said, 'Come to Cape Canaveral.'

"I started to the airport. I got to Cape Canaveral by three planes.

"The President was by a big rocket ship.

"He said, 'You must fly to the moon.'

"I said, 'At my age? I am only 8 years old.'

"The President said, 'Good. We need someone at your age.'

"After I called my mother she said, 'Anything for the President.'

"So three days later I got into my space ship. I was sent to the moon. I set down my space ship. I saw a moon man.

"I liked him and he liked me.

"We went back to earth.

"I was the world's best boy."

Mike is the son of Mr. and Mrs. Richard Donoho. His essay appeared yesterday in Malcolm Epley's column, "Beachcombing," in the Long Beach Independent.

CHANGES DOCTORS

Mexico City —(UPI)— Hollywood actress Katy Jurado, under treatment for a leg broken in a fall in her home, has had to change doctors. The doctor who first attended Miss Jurado has been arrested on charges of shooting his wife.

United States Weather Bureau Report

Hillsgrove Airport Station

Providence and vicinity—Fair, followed by increasing cloudiness and cold tonight; lowest temperature 10 to 15 degrees.

Tomorrow, mostly cloudy and continued cold.

Rhode Island—Cloudy with increasing cloudiness and not as cold tonight as last night. Tomorrow, cloudy with somewhat higher temperatures and just a chance of a little light snow developing.

Eastport to Block Island—Small craft warnings remain displayed from Eastport to Block Island for northwesterly winds 25 to 35 knots today, diminishing to 20 to 30 knots tonight and continuing tomorrow. Increasing cloudiness late today along the Maine coast. Cloudiness spreading southward tonight with a little light snow developing. Tomorrow, cloudy with a little light snow. Visibility more than six miles, lowering to one to three miles in precipitation tonight and tomorrow.

Bay Conditions

Narragansett Bay area forecast—Small craft warnings remain displayed. Northwesterly winds 20 to 30 knots today, becoming 15 to 25 knots tonight and continuing tomorrow. Fair today. Fair, followed by increasing cloudiness tonight. Mostly cloudy tomorrow. Visibility continuing over 10 miles through tomorrow.

March Moon Calendar

6th	13th	21st	28th
New	First	Full	Last

Miniature Almanac

Sun sets, 5:38; rises tomorrow, 6:16

Tides tomorrow:
High 5:06 a.m., 5:33 p.m.
Low 10:46 a.m., 11:02 p.m.

Comparative Data

Highest temperature yesterday, 23° at 4 p.m. Lowest yesterday, 8° at 6:55 a.m. Normal mean March 2, 33°. Average yesterday, 16°. Average Mar. 2 last year, 37°. Highest this date last year, 58°; lowest, 29°. Extremes this date last 58 years: highest, 61° in 1945; lowest, 5° in 1950. Deficiency since March 1, 24. Deficiency since Jan. 1, 80°. Degree days yesterday, 49. Accumulated degree days for current month, 88. Accumulated degree days since Sept. 1, 4,258, which is 145 below normal.

Precipitation yesterday, none, which is .10 inch below normal. Total this month, none, which is .20 inch below normal. Excess since Jan. 1, 3.07 inches.

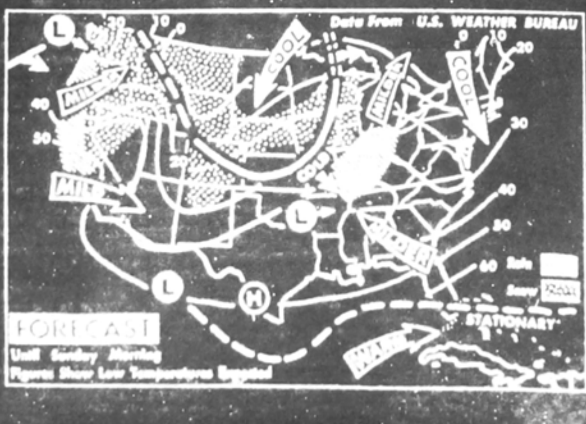
Other 7 a.m. Weather Reports

First column—highest temperature yesterday; second column—lowest temperature last night; third column—precipitation last 24 hours. All periods ending at 7 a.m. today.

Weather	High-est	Low-est	Precip-ita-tion
Albany—Clear	19	2	
Atlanta—Rain	44	31	.01
Block Island—Clear	25	10	
Boston—Clear	22	7	
Brownsville—Clear	66	51	
Burlington—Clear	9	—7	
Buffalo—Clear	14	2	
Chicago—Clear	34	16	
Denver—Pt. Cldy.	47	22	
Detroit—Clear	19	10	
Hartford—Clear	21	4	
Hatteras—Pt. Cldy.	36	28	
Jacksonville—Cloudy	59	39	.36
Los Angeles—Clear	69	48	.01
Memphis—Cloudy	42	22	
Miami—Cloudy	83	69	
Minneapolis—Pt. Cldy.	16	11	
Nantucket—Clear	34	13	
New Orleans—Cloudy	49	46	.01
New York—Clear	29	11	
Philadelphia—Pt. Cldy.	29	13	
Pittsburgh—Clear	30	14	
Portland, Me.—Clear	21	5	
PROVIDENCE—Clear	23	1	
Raleigh—Cloudy	36	22	
San Francisco—Rain	52	47	.80
Seattle—Cloudy	37	29	
St. Louis—Cloudy	36	24	
Tampa—Cloudy	69	57	
Washington—Pt. Cldy.	32	18	

MORE STAMPS ORDERED

Washington—(UPI)—The Post Office Department announced yesterday it has ordered another 100 million Project Mercury stamps because of the unprecedented demand for the issue honoring Astronaut John H. Glenn's historic orbital flight. The new authorization boosted to 320 million the total printing for the blue and yellow four cent stamp.



Hometown Celebrates Col. Glenn's Exploit

Continued from Page One

tributes to Colonel Glenn in Cape Canaveral, Washington and New York, but the warmth of the hometown folks welcome promised to match the heat of the spaceman's rockets.

Virtually everyone of the Ohio village's 2,127 residents knows the first American to orbit the earth as John.

But they won't be alone in the warmth of their welcome for the 40-year-old Marine officer and his family. Mayor James K. Taylor predicted that more than 50,000 people would be on hand for the homecoming.

The 24-mile stretch of U.S. 40 between Zanesville and Cambridge, where the astronaut was born, was renamed for him. The Glenns moved to New Concord, seven miles east, when their full-grown hero was a child. It was in New Concord that Glenn attended school and spent three years at Muskingum College.

The Glenn motorcade was to speed along U.S. 40, which also becomes this village's Main Street, which was patriotically resplendent in red, white and blue bunting and American flags.

A huge banner at the village limits proclaimed, "Welcome home, John."

Among the signs on homes and buildings was one on a house in the center of town which read, "Welcome home, John. The hair count started here."

The sign was posted by Harry Mock, the village barber, who trimmed the astronaut's hair when he was a freckle-faced schoolboy. It obviously referred to the fact that Colonel Glenn's red hair now is thinning.

The astronaut, who roared into New York Thursday like March weather, capped his visit last night by attending another Broadway musical.

The curtain of "Camelot" went up several minutes late because the audience gave Colonel Glenn, the other astronauts and their families a standing ovation.

Colonel Glenn and his wife, Annie dressed in a white ... [illegible] arrived at the Majestic Theater in the open convertible which they rode earlier this week in the biggest ticker-tape parade in the city's history.

A crowd outside the theater and in the lobby cheered. The colonel and his lady and the rest of the party marched down the aisle to their seats between a 50-man police detachment.

Actress Julie Andrews, who plays Queen Guinivere in "Camelot," returned from a one-week vacation to give a sort of "command performanee" for the astronauts.

Colonel Glenn's famous dimpled grin showed when Robert Coote, who portrays King Pellinore, ad-libbed a line referring to the many delays in the astronaut's flight and the five hours he once spent in his space capsule when a scheduled shot was scrubbed.

Coote lamented of his trials in searching for the "questing beast" while dressed in his heavy armor and added, "I had to sit around for hours waiting for the blastoff."

The audience roared approval.

When the curtain fell, the "Camelot" cast interrupted the applause they were receiving to applaud Colonel Glenn and the astronauts.

Before attending the show the Glenns had rested at their hotel suite during which time the astronaut had his red hair trimmed. Then he rousted the nappers by blasting reveille on a trumpet he received earlier in the day.

Colonel Glenn conquered the diplomatic world of the United Nations yesterday and was given the personal greetings of Soviet Premier Nikita S. Khrushchev from Russian Ambassador Valerian Zorin.

Then in an unprecedented welcome 600 U.N. delegates and other spectators [illegible] protocol and stood to [illegible] the astronaut for a full [illegible]

Colonel Glenn [illegible] space flight an international team effort as well as a [illegible] effort and saluted the United Nations as the [illegible] for international cooperation in space. He expressed hope that "we will be able to [illegible] another [illegible] ... [illegible]"

The Evening Bulletin

STATE EDITION

VOLUME C. NO. 52. | 32 PAGES | PROVIDENCE, RHODE ISLAND, SATURDAY, MARCH 3, 1962 | 45 Cents Per Week Delivered by Carrier | PRICE SEVEN CENTS

Morality Unit Head Going To Parley

Joseph A. Sullivan, chairman of the Rhode Island Commission to Encourage Morality in Youth, today said that he will attend a conference called by Raymond J. Pettine, U.S. district attorney, for Thursday to discuss a new approach toward stamping out sale of obscene publications.

When Mr. Pettine first disclosed proposals for the drafting of laws that would attack publishers of "smut" periodicals rather than the men who distribute them, Mr. Sullivan termed the idea "a weak tool."

Mr. Sullivan remarked today that, although he hasn't changed his attitude, "I want to see what this legislation is."

The commission chairman said that he felt that prudence and a sense of responsibility made it incumbent on him to attend the conference and express his point of view. He had been invited by Mr. Pettine to attend.

"Mr. Pettine is a good friend of mine," Mr. Sullivan asserted. "There is no verbal battle here. We all have our opinions as to what is the best approach. I'm afraid if the legislation proposed goes through, the retailers would use it as a shield."

Mr. Sullivan repeated that his previous stand on a proper approach to obscenity on magazine and book stands.

"I think the laws of Rhode Island are not being enforced," he said. "We have enough here now to carry out a vigorous campaign.

"I don't think some police departments really know how much smut is being sold to young people and how much harm is being done.

"Our laws in Rhode Island governing the sale and distribution of obscenity are clear and unambiguous. Our sections on criminal liability and injunctive action are not being enforced."

Mr. Pettine's suggested approach is called "in rem" in legal terminology. It applies to "the thing" as opposed to an "in personam" law which deals with a person.

The U.S. district attorney said he would draft a Rhode Island statute along these lines after consulting with Atty. Gen. J. Joseph Nugent and Milton Stanzler, Rhode Island representative for the American Civil Liberties Union.

The proposal was labeled by Mr. Sullivan one being pushed by the country's organized periodical distributors.

"We don't have any publishers in Rhode Island," remarked Mr. Sullivan. "Let's stick to enforcing the laws we now have."

Cold Wave Will Relent Just a Bit

A "fairly good weekend," not so cold and with hardly any chance of snow, was forecast today by the U.S. Weather Bureau station at Hillsgrove.

The mercury dropped to 6.7 degrees at 6:30 a.m. today, slightly above the 5.3 degree record set on this date in 1950.

The Weather Bureau at 11 a.m. ordered gale warnings hoisted for offshore northwesterly winds of 30 to 40 knots, with gusts up to 50 knots, this afternoon. The velocity will drop, but will stay between 25 and 35 knots offshore tomorrow, the bureau said.

Ralph L. Carlson, chief meteorologist at Hillsgrove, said some cloudiness, with occasional sunny breaks, is likely tomorrow. Tonight's temperatures probably will range between 10 and 15 degrees, he said.

Snow tomorrow from a storm to the northeast will get no nearer than Cape Cod, Mr. Carlson felt. Another storm system in the Midwest might give Rhode Island some snow on Monday, but Mr. Carlson said it is too early to say how much.

In Rhode Island, state and local highway crews continued the job of repairing damaged roads. The Providence highway department put graders and sanding trucks on the roads last night but reported that the graders were handicapped by ice which had frozen rock-hard during the cold wave.

Index

DeCiantis Informal, Charming, Amusing

Down-to-Earth Judge

By PAUL G. MARTASIAN

He can anger with his pointed remarks.

He can amuse with his humor.

He can charm with his fatherly kindness.

And he can frustrate with his informal court room procedures.

This is the portrait of Family Court Judge Michael DeCiantis as painted by divorce-bound couples, their lawyers and observers who have seen him in action during his first six months on the bench of the new court.

His comments on motherhood, germs, doting parents, interferring relatives, wife-beating children, philandering husbands, naps for babies and love have brought to the Family Court a curious down-to-earth flavor.

The Family Court, is, by nature of its calendar, a hearing room for the manifold problems of marriage.

One of the cases Judge DeCiantis heard recently involved a divorced husband fighting for custody of his two-year-old son. The man claimed his former wife was unfit. Among other things, he said, she kept a dirty home with diapers hanging all over the place.

The judge ran a hand over his shock of thick, gray-streaked red hair. "Don't give me that stuff!" he said. "Testimony here is that the boy is healthy. What difference does it make if this woman has diapers hanging in the house? Sometimes I think we're too clean. Maybe if we were a little bit dirtier we'd be immunized from a lot of diseases."

Another case was called.

A pretty blond housewife claimed her husband, in his middle 30s, was running around with other women. Her husband took the stand and said, yes, he had gone out, "but my wife drove me to it."

The judge leaned over the bench, gave the man a hard look. "If you're running around going into an age like second childhood, Mister, you're not there any more. Get girls out of your beat. You've had it!"

Lawyers admit some consternation with his judgments. Trial-wise attorneys know he has the last word, but younger ones appear baffled by his topsy-turvy way of letting witnesses behave.

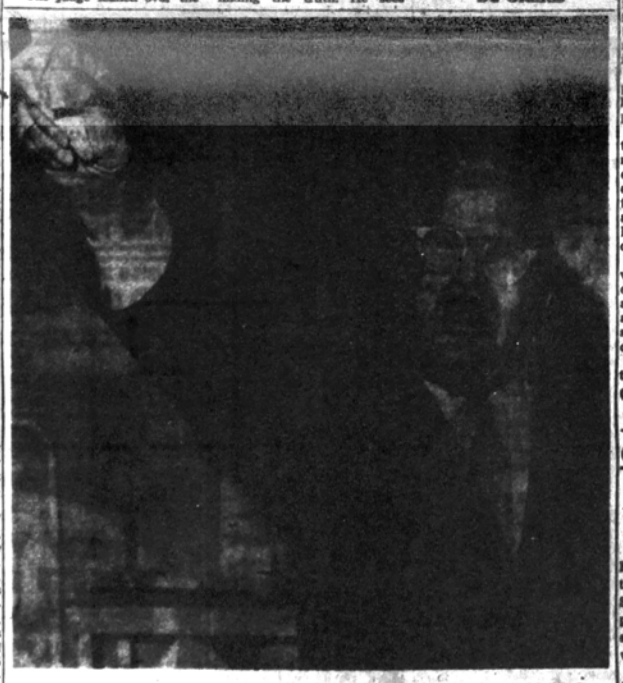
One attorney said: "He completely ignores the rules of procedure, but I have to admit, this man has heart. His decisions may hurt, but he has an uncanny way of finding the truth. He sees through people. He doesn't like phonies and he can spot them."

The lawyer cited a case in which a 25-year-old mother, an attractive brunette, went to court seeking custody of her three children, the youngest 11-months-old whom she had abandoned a month after birth. She claimed her husband kicked her out. He accused her of infidelity.

With his wife gone, the husband quit his mill job to devote all his time to caring for the children. He received "mother's aid" from the state.

Judge DeCiantis was shocked.

Continued on Page 2, Col. 4
De Ciantis



—Journal-Bulletin Photo

The Good Life—100 Years of It

By JAMES T. KAUFF

"I've led the life of a man," proclaims Nicholo Leveroni, singer, innkeeper, sportsman and lover of a good life which for him will reach 100 years tomorrow.

"Oh, I'm glad to pay credit to Providence and this state, but the whole world was kind to me," Mr. Leveroni said from his rocking chair in the Home for Aged Men and Aged Couples at 807 Broad St.

"I've been blind practically all winter, but I'm around here singing like a bird," the veteran of opera choruses said.

And he did sing, in a surprisingly robust voice: "Libiamo, libiamo ne' lieti calici," the drinking song from Verdi's La Traviata.

Tomorrow—don't anyone tell him—the staff from the eye clinic at Rhode Island Hospital will go to the home and put on a birthday party, with cake for Mr. Leveroni and his friends.

He has been in and out of the clinic for examinations since he had a cataract removed from one eye, which left his vision a bit dim.

"The people there say he cheers them up," reported Mrs. Sara Weilbacher, superintendent at the Broad Street home.

Man of many opinions, firmly expressed, Mr. Leveroni had these statements to offer:

On Enrico Caruso: "He had the power of voice, but as an artist, he wasn't in it with someone like Campanini, who was a wonderful tenor." (Italo Campanini, opera star from Parma, died in 1896.)

On how to live to be 100: "Don't drink water. Drink good wine. A glass or two with a meal. I don't mean take a bath in it."

On global conditions: "The world has gone to the devil since the automobile came in."

On his interest in astronaut John H. Glenn Jr.'s orbital flight: Dismissed with a shrug. "I'm not going up. I don't like to climb, anyway."

On the value of work: "I didn't really work. I don't believe in it. My head did the work."

Mr. Leveroni has been a Rhode Islander for some 65 years and has been at his present home since 1956.

To a gentleman of great age, autobiography is something that comes in bits and pieces of a flashing memory.

He speaks of the long ago when he ran the General Stanton Inn on Post Road in Charlestown. "I had a good chef and good help. Yes, I had the best. People got what they were looking for."

Was he ever in military service?

"No, I'm not a fightin' man, I'm a singin' man."

He speaks, bewilderingly of the rich and the great he has known — Mrs. Jack Gardner, that Boston patron of the arts, in whose home he once sang, for instance.

"I'm a horse man and a dog man. I drove my own tandem

Continued on Page 2, Col. 1
Leveroni

Would Not Fight School Case: Nugent

Atty. Gen. J. Joseph Nugent today said he feels the state Department of Education should accept yesterday's Superior Court ruling, which upheld the Warwick School Committee in its dispute with Commissioner Michael F. Walsh over the board's appointive power.

The remark seemed to indicate that an appeal might not be taken, although Mr. Walsh could not be reached for comment immediately.

Mayor Horace E. Hobbs of Warwick expressed his reaction very simply. "Hallelujah, amen!" he said.

Francis P. Nolan 3rd, chairman of the school committee, was out of the state and got expected before Monday. Joseph S. Sinclair, member of the committee and a spokesman for the minority, remarked: "I want to read the decision before I comment."

Judge John E. Mullen yesterday granted a preliminary injunction barring the state education commissioner and the general treasurer from continuing to withhold state aid funds from Warwick.

This penalty had been invoked by Mr. Walsh after the Warwick School Committee turned back the school superintendent's recommendation of Roger Vermeesch for coordinator of audio-visual aids. The committee, instead, named Maurice Tougas to the post.

Judge Mullen, in a 21-page decision, said the city at recent hearings "proved prima facie" that the coordinator of audio-visual aids is one of the "administrative officers" the school committee may appoint on its own, without recommendation of the superintendent, under Warwick's charter.

He said another section of the charter, which says "all school employes" shall be appointed by the committee on recommendation of the superintendent, is so uncertain in the light of state law concerning broad powers of school committees that even under it an injunction should be issued.

He said the issue could be presented more fully at later hearings on the question of a permanent injunction.

Judge Mullen remarked that the charter provision for committee appointment of school employes on the superintendents recommendation contained the reservation, "except as provided otherwise by the laws of the state or provisions of this charter."

He referred to a state law vesting selection of teachers, election of the superintendent and the entire care, control, and management of all public school interests in the school committees.

Judge Mullen said he thinks the charter provision that the

Continued on Page 2, Col. 3
Nugent

—Associated Press Wirephoto

Helping photographers, U.N. Ambassador Adlai Stevenson maneuvers Mrs. John Glenn Jr. under emblem at U.N. yesterday.

Col. Glenn Idolized in Hometown

New York— (UPI) —Astronaut John H. Glenn Jr. left New York today on the first visit to his hometown in Ohio since he became the nation's number one spaceman.

The Marine lieutenant colonel, who took New York singlehanded, still had the situation well in hand when he left the Waldorf-Astoria Hotel with his wife, Anna, and their two children.

In contrast to the roaring welcome New Yorkers gave the astronaut on his arrived Thursday there were only about 60 spectators out in subfreezing weather. What they lacked in number they made up in enthusiasm.

The Glenns stepped into a bubble-topped limousine of a 13-car motorcade composed of police cruisers and U.S. Marine Corps staff cars.

Also in the motorcade were Colonel Glenn's parents, his in-laws and Lt. Col. John (Shorty) Powers, the voice of the astronauts. It headed down the West Side highway to the Lincoln Tunnel on the way to Newark Airport in New Jersey, where the Glenns boarded a plane for Ohio.

Tiny New Concord didn't hope to match the size of the

Continued on Page 2, Col. 4
Glenn

Kennedy Sets Tests Unless Reds Sign Ban

Washington — (AP) — Faced with the grim danger of decisive Russian gains in the atomic arms race, the United States will begin nuclear air tests in the Pacific late next month unless Russia agrees quickly to a cheat-proof test ban treaty.

President Kennedy announced this decision in a broadcast to the world last night. He coupled it with an urgent bid to Soviet leaders to return quickly to the negotiating table and join in working out a "fully effective treaty" to make tests unnecessary.

"It is our hope and prayer," Mr. Kennedy declared, "that these grim, unwelcome tests will never have to be made — that these deadly weapons will never have to be fired — that our preparations for war will bring us the preservation of peace."

But he said bluntly that the next and critical move is up to the Kremlin.

"In the last analysis, it is the leaders of the Soviet Union who must bear the heavy responsibility of choosing in the weeks that lie ahead whether we proceed with these steps (for arms control) — or proceed with new tests," Mr. Kennedy said.

His reluctant but long-considered decision was made, he said, because of gains in nuclear weapons power made by the Soviets through a series of more than 40 tests fired last fall after months of secret preparation. The Soviets did not gain "superiority in nuclear power" through those tests, Mr. Kennedy said, but they achieved progress in weapons development that could lead to important breakthroughs in some later tests series.

"I must report to you in all candor," the President declared, "that further Soviet series, in the absence of further Western progress, could well provide the Soviet Union with a nuclear attack and defense capability so powerful as to encourage aggressive designs."

Unless the arms race can be brought to a standstill with a test ban treaty policed by an international inspection system, Mr. Kennedy asserted, the United States must advance its own weapons development in order to preserve "the free world's ability to deter, to survive, and to respond to an all-out attack."

Tass, the Soviet news agency, said in a dispatch from Washington reporting the announcement that Mr. Kennedy knows "full well that the Soviet Union rejects the system of inspection proposed by the U.S.A. and Britain as completely unacceptable."

In other reaction, the British government extended its full support to Mr. Kennedy's proposal, Japan urged the President to reconsider, and Congress lined up solidly behind him.

Mr. Kennedy's announcement came within two weeks of the scheduled opening in Geneva March 14 of an 18-nation disarmament conference including Soviet bloc countries, the Western powers and nonaligned nations.

Mr. Kennedy proposed that even before the big conference starts East-West negotiators should resume discussions of a test ban treaty. And he said

Continued on Page 2, Col. 1
Nuclear

Russia 'Will Take All The Necessary' Steps

Moscow — (UPI) — The Soviet government newspaper Izvestia warned today that Russia will take "all the necessary measures" for its security in the light of the U.S. decision to resume atmospheric nuclear tests.

Izvestia, in an article by V. Matveyev, said it was necessary to "cool the fervor of champions" of the arms drive.

"The Soviet Union will not, of course, remain listless in the face of the new aggressive steps of the U.S.A. and its NATO partners in the sphere of nuclear armaments," the Izvestia article said.

"All the necessary measures dictated by the situation will be taken for ensuring the security interests of the Soviet Union and other Socialists countries, for ensuring the interests of general peace," the government newspaper added.

The article said there was still "time and possibility to put an end to the present risky game of nuclear weapons."

"Now, as never before," it said, "it is necessary to cool the fervor of some immeasurably hot champions of the arms drive.

"It should not be permitted that they should undermine the possibility of fruitful talks on disarmament by ill actions," Izvestia added.

Earlier today the official Soviet Tass agency said Russia will reject Mr. Kennedy's offer of a nuclear test ban treaty and charged he "made use of maneuvers strongly reminiscent of blackmail" in his speech to the nation last night.

Girl, 4, to Get Artificial Legs

Chooses Amputation Over Wheelchair

Battle Creek, Mich.—(AP)— Mrs. Clyde Stuck said today that her four-year-old daughter Susan had "too much will power and determination" to accept spending her life in a wheelchair.

And so the little girl with the big, smiling brown eyes chose to have her legs amputated. Her only hope of ever walking was artificial legs.

Susan made her own decision.

"We always talked about her problem openly," Mrs. Stuck said. "We never tried to hide the truth from her. It was open and she knew right from the beginning what might need to be done."

Susan's right leg was amputated below the knee at the Shrine Hospital in Chicago last Wednesday. She will undergo another operation to remove the left leg when she has regained sufficient strength, and then several more to prepare her for artificial limbs.

Exploratory surgery six weeks ago revealed there was no way to correct a crippling congenital condition in Susan's legs. Doctors told Mr. and Mrs. Stuck, who live on a small farm in Battle Creek township, the choice was a wheelchair or artificial limbs.

"We asked Susie if she wanted to go through with it" Mrs. Stuck recalled. "She was afraid it would hurt but I reminded her that another little girl in the hospital had the same thing."

—Associated Press Wirephoto

Her daughter replied:

"Well, it didn't hurt her too much, and I do want to be able to walk."

"We knew Susie would make the right decision," Mrs. Stuck said. "She has too much will power and determination to spend her life in a wheelchair."

Susan suffers from a lack of muscle development called arthrogryposis congenita multiplex. She has been in and out of hospitals from birth.

The Shriners organization plans to pay the entire cost of Susan's treatment and recovery, which might run to $20,000 before she gets her last pair of artificial legs.

"Thank God for them," Mrs. Stuck said. "We have four other children (ages 7 to 14) and we figured my husband would work days and I'd work nights and we'd foot the bills somehow.

"It's all too wonderful. We didn't even know there was such a thing as the Shriners hospital. You don't know how many friends you've got—how wonderful people can be—until you need them."

Mrs. Stuck, 36, and her husband, Clyde, 37, a machinist, planned to drive to Chicago today for their first visit with Susan since Wednesday's operation.

"We received word just yesterday that Susie is awake and feeling fine, and that we could visit her," Mrs. Stuck said.

The Shriners learned of Susan's plight through Dr. Paul C. Kingsley, a Battle Creek orthopedist. When Susan was born, Dr. Kingsley made the diagnosis, which was confirmed in visits to the University Medical Center at Ann Arbor, Mich., and the Mayo Clinic in Rochester, Minn.

Dr. Kingsley called the Shriners' attention to the case because of the cost of treatment.

Susan's father is employed by the Union Pump Co. during the day and tends the small farm on which the family lives in his spare time.

Prov. Journal + Bull.

The church on top of the hill

May 5, 1980
In Perspective

Mother was right. I shouldn't have doubted it. Now, more than 50 years later I find her often-told story verified by an unimpeachable source.

When we were kids growing up in the small village of Esmond, we had to walk to Georgiaville to go to church and we complained loud and long.

The trek to church was particularly difficult in the winter. There'd be tears in our eyes as we walked heads bowed into the biting northern wind.

Our complaints, however, made no impression whatsoever on mother. She simply waved them away as unwarranted, saying it was also blasphemy to complain about going to church. Then, more often than not, she'd repeat her favorite "going-to-church" story.

It seems that in the small village of Sora, near Naples, Italy, where she grew up, the church was located on top of a small mountain. Parishioners had to make their way up the steep pathways and makeshift stone steps on Sundays and on the many Holy Days.

That wasn't all. Church goers had to carry their own chairs. There were no pews and there was no heat in the old stone church, she related. Most villagers learned to carry their chairs on their heads. The floor of the church was always cold, she said.

Having made her point, she wouldn't entertain any more complaints about anyone walking to a "nice heated church with pews" for the parishioners. Every time we complained, however, mother would give us the same lecture. I became skeptical about the story, however.

Late one afternoon recently, there came into the *Journal-Bulletin* office in West Warwick an elderly man. Michael DeCiantis, 79, a former justice of the Rhode Island Family Court had stopped by briefly to chat with reporters. He had retired in 1977 after a 16-year career on the bench.

It was getting dark as we talked and I offered the retired judge a ride home. When I drove up the driveway he invited me in for a short visit. It turned out he was was born and grew up in the same Italian village as mother and they were about the same age.

"Have you visited your native Sora?" I asked.

Several times, he replied, offering his latest photographs of the village.

One of the photos jolted me. It was a clear view of the seaside village and rising from Friuli Street was a small but steep mountain. On top of the mountain stood the Madonna della Grazie (Our Lady of the Graces). It was a church name I knew well.

Did you climb that mountain to go to church when you were a boy, Judge," I asked.

"Why, yes, I did," he said.

"And did you carry your chair on your head?" I asked intrepidly.

"How did you know?" the judge shot back.

JIM BRUNO

Bulletin
5/15/80

Mothers who instill sound principles

In his In Perspective column (May 5) Jim Bruno wrote of "The church on top of the hill." We had mothers who taught love of God, country and mankind. Their love and devotion are remembered years later.

Today mothers who protest and complain against these principles should realize what is being instilled in the minds of their young.

How true the words, "Mother, I learned much from you and each lesson came true."

Jean Daniels

North Providence