Dean Christensen has initiated the Cleveland-Marshall Alumni Law Notes to serve this function. The Law Notes have some attributes in this regard. Unfortunately, however, it is the sole source of College of Law occurrences and interests to the alumni.

As many of you are aware, the propriety of the Law Notes operation has been questioned. The Student Bar Association should pursue some of these unanswered questions, but, alas, the Law Notes was not only mailed out to the thousands of alumni and attention had been focused on the concerns of students.

Unfortunately, few students took advantage of the free access policy of the newspaper. As a consequence, certain view points dominated the content of most issues. Students should become aware of the access to the Gavel and come forth with fluid pens. As it was stated in the first issue of the newspaper this year, "the Gavel will not plot a course. We need you for direction. This is your forum."

Next year the Gavel editors will be Bruce Rose and John Richlano. Any student desiring to write for the Gavel or become a member of the staff, should contact them.

R. Musat

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"THERE ARE MORE HORSES' ASS, THAN THERE ARE HORSES."
-Leavin

THE HAT STORY

One year ago at this time Sam Sonenfield walked out of his Real Property class rather than be confronted with the Indignity named Chris Stanley. Sonenfield asked Chris to remove his dirty hat. Chris refused and Sonenfield could not go on teaching.

Chris was advised to transfer sections for two reasons; 1) so the class could continue the last ten days with a teacher and 2) so Chris could have a chance of passing the course. Not too-veiled of a threat.

It was a time few people could feel pride or self-respect. There was a good deal of infantile behavior all over the place. It was nothing to be proud of.

It is nothing to hide either; although, Dean Christensen did suggest Chris just "forget it."

The Gavel decided to recount the event in a special anniversary gala issue.

Chris Stanley agreed to write his side. His story appears on page 4.

Sam Sonenfield was sent the following message.

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PICNIC POLITICS

By TED MECKLER

In October it was reported on these pages that (still present) Dean Craig Christensen had sabotaged (now former) SBA President, Carl Noll's plan to fill our lovely courtyard with picnic tables. At that point in time, if you recall, the tables were ordered by Carl and placed in the courtyard by the movers from the University physical plant department. Soon thereafter, Craig had them removed. When reached for comment at that time, the Dean cited his fears that the picnic tables would become a "trash nest." He also noted that there were fire access problems. And furthermore the Dean hoped to acquire funds from our noble and innocent alumni to more aesthetically furnish the courtyard.

The money, it seems, was not forthcoming. With spring fever descending upon us, making it very difficult for many to swelter in the library, the Dean felt compelled to act. The picnic tables of "trash nest" fame were re-ordered and re-delivered. When reached for comment the physical plant movers just shook their heads. So we're back to picnic tables again.

Already classes have been held in the courtyard. There have been some complaints about air quality out there. But the problem is certainly not peculiar to the courtyard. My only question is when will the SBA sponsor a courtyard concert series?

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YIM NEW EDITOR OF LAW REVIEW

B. Casey Yim is the new Editor-in-Chief of the Cleveland State Law Review. He was elected on May 11.

The position has been characterized as the most prestigious student position in the University Community, going to the most diligent conscientious, hard working, and dedicated law student.

It is because of this reputation that the Board of Trustees designated this person to sit on the appeals board of the Student Judiciary.

Casey is modest and wants every one to know that the real work is done by a dedicated staff.
There seem to be four solutions to the problem. [1] Do not build the facility at all (a cop out); [2] Cut back student enrollment (an obviously unacceptable alternative) [3] Raise enough money—somewhere—to pay for the additional space which is needed (a difficult, but not impossible, feat). The fourth solution—to go ahead and build the facility—is no solution at all. If an adequate facility is constructed, we will all benefit. It should be obvious that "the building makes the school" (to paraphrase an old saying). Look at Case.

Other items treated in some depth were C-SPiRG and a scheduling committee proposal. C-SPiRG was given an endorsement by SBA as being a worthwhile function. The endorsement will (hopefully) help the group receive University recognition and funding through student activity fees. The scheduling proposal gave the committee up to $200 to test the feasibility of the idea. A school schedule to a computer program, rather than continue the present policy of scheduling everything by hand—a time-consuming process which does not always result in student satisfaction. The money will be used to pay for key-punching, modifications in the program, etc.

A small number of volunteers are needed to usher and hand out programs at the First Annual Convocation of the law school on Saturday, June 8. The Convocation, in case you don't know, is to provide our graduating students with the recognition they will not get at the actual University Graduation Ceremony. If you would like to help, please let Dean Sierk know as soon as possible.

MOOT COURT

By DAVID SCHRAGER

It's been said that law school teaches one a vocabulary, whereas experience teaches one to become a competent attorney. This being so, Moot Court becomes a highly effective precursor to the practice of law.

Unlike other courses and extracurricular activities Moot Court accentuates specific skills necessary for a practicing attorney. Essentially these skills consist of teaching a law student the techniques of brief writing, oral advocacy, and the art of persuasion. Unlike first year course, Moot Court hones the requisite skills to a high degree of perfection. Members of the national team have credited these experiences with oral advocacy as greatly aiding their competency as well as their confidence.

Beyond these basic skills, many other benefits are offered to incoming members. A three credit skills course, Moot Court eliminates the requirement of taking such a course in the first year of law school. The scheduling proposal gave the committee up to $200 to test the feasibility of the idea. A school schedule to a computer program, rather than continue the present policy of scheduling everything by hand—a time-consuming process which does not always result in student satisfaction. The money will be used to pay for key-punching, modifications in the program, etc.

The applicant will gain experience which will enable him to improve his courtroom abilities. Not bogged down with theory, it serves as a tool by which a student can apply his knowledge. At its present rate of growth, Moot Court will be a worthwhile function. The endorsement which the team will receive more than three hours of credit for a skills course. The applicant will gain experience which will enable him to improve his courtroom abilities. Not bogged down with theory, it serves as a tool by which a student can apply his knowledge. At its present rate of growth, Moot Court will be a worthwhile function. The endorsement which the team will receive more than three hours of credit for a skills course.
Henry: Well, Rudy, I don't know what deeply on his cigarette. Consequently, Rudy: Henry, what are we going to do He is a bit younger looking. He has his chief assistant, or assistant seems bothered by the smoke. Henry: No chief, that's my point . Instead of puffing on a cigar he inhales the rear office of the city paper . There are two characters . The older man speaks first. Why we've got Watergate coming But I've got an idea. Bear me out on this--it may seem a bit wild. T.V. advertise itself everywhere all personal involvement-some type of bizarre human interest story. And we need something that will last. Rudy: What are you driving at Henry? What kind of story could do all that? Maybe we don't need a story. I think we ought to advertise the paper on radio and T.V. Rudy: News. Henry: True, but news alone isn't enough. Everybody's got news. Why we've got Watergate coming out on our ass. We need more personal involvement-some type of bizarre human interest story. And we need something that will last. Rudy: What are you driving at Henry? What kind of story could do all that? Maybe we don't need a story. I think we ought to advertise the paper on radio and T.V. Henry: No chief, that's my point. What I'm thinking of will advertise itself everywhere all around the world in every newspaper, on every radio and television station; that's worth anything. And all for free. Rudy: OK Henry, out with it. You've aroused my curiosity. Henry: We make up a character, someone unknown but with instant media appeal. Make her a sweet, innocent young thing and we'll say she's your daughter. Announce to the world that she's been kidnapped by a mysterious group of desperate, gun-toting revolutionaries. Carry on negotiations publicly. Beg for her release on the air. Threaten her abductors. Bring your wife into it. Add a tragic love affair. The media will eat it up. They'll cover your every move. Your name and her name will be known all around the world--just like it used to be when the "old man" was around. The thing can be maintained for quite a while. Sympathy and attention will be lavished upon you and the family. And the paper will rise to new heights. Rudy: Sounds great Henry, but will it sell? Henry: Just leave it to me chief, it will sell... CATCH SB - 22 OR THE TOILET PAPER CHASE BY MONTAGEAU BEEFEYE

[Our avid readers will recall that last time Riparian was on the verge of discovering the catch, or going insane at the prospect of his friend Obar, which, as we will soon find out, are not exactly inconsistent.]

SB-22, Riparian later found out, was the number assigned to Dean Crystalclear's special quash court over in the new gymnasium complex. No one knew for sure, but it was rumored that Dean Crystalclear requisitioned the quash cases by some means or another, convincing the John Mitchell Endowment Fund that it would behoove the school's reputation to have a quash court room as well as a moot court room. The trustees, in their sole and unlimited discretion, were immediately intimidated by such arcane terms as "quash and "moot", and unanimously approved it. They probably imagined a group of state legislators pursuing a little black ball across a cubicile room with briefcases, black robes, and sneakers.

At any rate, the venerable trustees jumped at the change of scoring a first among law schools, and Dean Crystalclear capitalized on the opportunity to the utmost. SB-22 became the scene of board of directors meetings, luncheons, important appointments, and nearly everything Dean Crystalclear wished it to be.

He knew that he could leave a note in his office saying he had an appointment, come over to SB-22, and play "quash ball" in cloistered bliss, where the pressures of being a law school Dean were vented on four alabaster wall scene of board of directors meetings, luncheons, important appointments, and nearly everything Dean Crystalclear wished it to be.

"I've half been expecting you, Riparian. You've been around for six years, and I suppose I wouldn't be a Dean if I didn't run into you once. And you're here for a reason. You're the only one who has caught on Riparian, and I was beginning to think that after six years you never would. You're just as idealistic as when you started. Obviously, there is something wrong."

Wrong? thought Riparian. He came here to find out the catch, and now he is being told there is something wrong with him.

"Don't you see, Riparian, you should have taken leave of your senses long ago."

"But what about the catch," asked Riparian, still puzzled.

"Oh, the catch. That's really anything you want it to be. Just so long as you get what you're after." Then Dean Crystalclear looked up at Riparian with all the verity of a learned guru, and said, "The important thing is to take leave of your senses. Only then can you achieve "catch-consciousness."

The metamorphosis was occurring within Riparian. The catch. "Catch-consciousness. Of course!"

Riparian vanished as quickly as he had entered. It was so simple. Take leave of your senses. Graduate. Take the bar exam. Collect fees. Screw all this idealism. Thus elevated from his senses, Riparian strolled across campus as if hellium filled his ear holes, stepping hurriedly to Chester Avenue, and was summarily run over by a truck.

Finis

COUNTS OF APPEALS DISTRICT COURTS


By ZEE RAISH MECKLER

The scene is set in the heart of a modern American metropolis in the large rear office of the city room of a distinguished big city newspaper. One is a building, 52 years old, with thick prominent eyebrows, wire rimmed glasses, and a face laced with the wrinkles of anxiety and age. A large cigar dangles from his lips. He is the editor, the chief of this distinguished newspaper. Next to him, sits his chief assistant, or assistant chief, depending upon your preference. He is a bit younger looking. He has a bit more hair and a few less wrinkles. Instead of puffing on a cigar he inhales deep on his cigarette. Consequently, the room is fairly smoky. Neither man seems bothered by the smoke.

Rudy: Henry, what are we going to do about the circulation? We just keep going down hill. Pretty soon no one will want to advertise. Oh, what would your father say? Why we've got Watergate coming but I've got an idea. Bear me out on this--it may seem a bit wild. T.V. advertise itself everywhere all personal involvement-some type of bizarre human interest story. And we need something that will last. Rudy: What are you driving at Henry? What kind of story could do all that? Maybe we don't need a story. I think we ought to advertise the paper on radio and T.V. Rudy: News. Henry: True, but news alone isn't enough. Everybody's got news. Why we've got Watergate coming out on our ass. We need more personal involvement-some type of bizarre human interest story. And we need something that will last. Rudy: What are you driving at Henry? What kind of story could do all that? Maybe we don't need a story. I think we ought to advertise the paper on radio and T.V. Henry: No chief, that's my point. What I'm thinking of will advertise itself everywhere all around the world in every newspaper, on every radio and television station; that's worth anything. And all for free. Rudy: OK Henry, out with it. You've aroused my curiosity. Henry: We make up a character, someone unknown but with instant media appeal. Make her a sweet, innocent young thing and we'll say she's your daughter. Announce to the world that she's been kidnapped by a mysterious group of desperate, gun-toting revolutionaries. Carry on negotiations publicly. Beg for her release on the air. Threaten her abductors. Bring your wife into it. Add a tragic love affair. The media will eat it up. They'll cover your every move. Your name and her name will be known all around the world--just like it used to be when the "old man" was around. The thing can be maintained for quite a while. Sympathy and attention will be lavished upon you and the family. And the paper will rise to new heights. Rudy: Sounds great Henry, but will it sell? Henry: Just leave it to me chief, it will sell.... CATCH SB - 22 OR THE TOILET PAPER CHASE BY MONTAGEAU BEEFEYE

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Every time Reez would extend his arms to actually balance competing interests, people were astounded. They would see this ramrod of a man with arms flailing, coming to a rest and a decision.

No one thought to ask and just assumed that what Reez was doing was balancing. Reez sometimes could even fool himself. But not often.

Reez wasn't balancing. He was marking parameter and defining voids. When it was dark and he was alone and not afraid he would say the words that described his action—constructive embrace.

Reez was in San Francisco for a convention way back when, long before anyone even heard of Jock and Roll. There were women who followed the legal profession around the country, looking for new 'kicks'. They were called, derogatorily, Legalies.

One Legalie named Daphne bounced up to Reez. "Balance me, Reezie baby!"

Oh my God, thought Reez, oh no...on the other hand...but on the other...furthermore...and then...but!!!...Essentially it seems...oh my God!!! Sweat was pouring down his fore and back.

"Come on Reez. Subject me to my invention."

Passion. Passion is what separates a reasonable man from an unreasonable heart. Passion is so unreasonable. Reez looked around. No one was watching.

"Quickly, let's go to my room."

They were up the stairs in a flash. Reez stuffed something into Daphne's hands, pointed her in the direction of the bathroom, and told her to change.

"I must be within a penumbra," he mumbled to himself; but there is a legitimate police power. Yet there is a right to privacy. But this is illeg- illegal. Illegal! Unreasonable!

He turned around as he heard the door open. She was nude save the bow. Reez bent forward and whispered into his ear, breathing heavily, "shocks the conscience, lewd and lascivious, prurient interest, right to privacy, sanctity of the bedroom."

His arm scales went wild balancing and analyzing up and down her body. And it was not love, Reez gave his fulcrum its proper place in his decision making process.

"Oh Reez"

"huh?"

"Reez this is not how it's done."

She wasn't telling him anything he already didn't know but he liked to pretend.

"I'm serious Reez. You're supposed to be the expert. Come on, let's make a contract. You offer and I'll accept."

"Look, maybe if we can find a reasonable position. You go into the next room and I'll stay here."

"Reez?"

"How about if we just bargain at arm's length?"

Daphne sat down and thought for a moment. And thought some more. She couldn't let a situation like this go to waste. This was Reasonable Mann. She stood up.

"Reez come over here"

"Why?"

"Just come here. I want you to think of me as a problem."

"Believe me I do."

"I mean a real problem. A legal problem. Just listen to me." She lowered her voice. "It is in the interest of national security."

Like a rocket his left arm shot up stopping at her right shoulder.

"But now listen Reezie, Congress shall pass no bills of attainder."

And then his right arm raised to her left shoulder, and his left arm fell to her waist. That's when Daphne bent forward and whispered into his ear, breathing heavily, "shocks the conscience, lewd and lascivious, prurient interest, right to privacy, sanctity of the bedroom."

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REEDY

Richard Musat, Editor-in-Chief
Burton Anderson, Faculty Advisor

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The Gavel, College of Law, Cleveland State University, Cleveland, Ohio 44115 687-2340

THE GAVEL

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THE SILLINESS OF LAW SCHOOL

By Christopher D. Stanley

Through my two years of law school I have encountered many silly things, but I find that most of these experiences are really very serious because of the shape of our world. The most silly thing that has happened to me personally was my wearing a hat in Sam Senofield's Real Property class and Professor Senofield ordering me to take it off, and when I didn't, his storming out of the class. I thought it was pretty silly to argue over a hat but the serious part of the experience which scared me was that Professor Senofield and most of the class thought he had the power and the right to order me to do anything. Other examples of silliness which are really very serious are:

1. A professor calling a Black man boy in class

2. Professors calling women "honey", "dear", "sweetheart" while at the same time calling men by their names

3. A professor who says he flunks 70% of his Black students saying he is not a racist.

4. A professor asking a Black woman from the South about sharecropping.

5. A professor asking a Hawaiian about picking pineapple.

6. Professors visibly having little patience with Blacks and women.

7. A professor saying he is going to flunk his "nigger" a year.

8. Trying to teach students "values".

9. Professors verbally assailing students for not memorizing a case.

10. Going before the Faculty Standards Committee to change your grade received from a professor whose course you took because he had a reputation for giving good grades.

11. Not allowing a student torote two major exams he flunked because he had heart attack two weeks before exams.

12. Having to get "dressed up" to perform your oral argument.

13. Making night students go to class 5 nights a week calling the Administration is not phasing out the night school.

14. A Real Property professor spending only 1 class period on indigent tenant law.

15. Students having very little say in how the law school is run.


NEPHITIS IN THE AIR

By Daniel Wolf

I can remember a Saturday about a month ago where the sky was blue and would could sense the cloak of gray winter being discarded for the rebirth of spring. But yet downtown Cleveland was besieged by an alien army. Our worst fears have been consumated. Nixon should call out the troops for this invading alien force may he be as wretched as those wicked Commies.

The army I am speaking of is brown particles that permeate the air-polluted lung destroying air. see p.6
On April 30th an Indian protest against the dual system of justice in South Dakota for the third time erupted into a police riot, when supporters of the first five Custer defendants now on trial in Sioux Falls defied the judge's order to stand outside the courtroom. Attempts to negotiate with Presiding Judge Joseph Bottum, who insisted on maintaining the custom out of pride. Standing in respect for the court is not required by law.

A Lutheran clergyman who witnessed the tactics's ensuing attack on the 14 unarmed spectators and the defendants inside the locked courtroom of Minnehaha County Courthouse described the scene as "using a shotgun against a flea." Twenty-five tactical police in full riot gear, with batons in hand, naco and tear gas, rushed the courtroom, pushing aside the Lutheran churchman in attendance (who had also refused to vacate) and descending first on David Hill—despite cries from his lawyer that he was a defendant and required not to leave. All Indian spectators were injured, eight requiring hospital attention. David remains in the hospital with severe eye and head wounds; it is yet unclear whether his eyes will be permanently damaged.

On April 30, the climax of escalating friction between Judge Bottum and the defense since the opening of the trial April 15. While protesting the defense's claim that South Dakota is prejudiced against Indian people—"This court does not go along with your claims of inherent prejudice in South Dakota. I have tried Indians in my court and defended Indians and I know it does not exist"—Judge Bottum has consistently denied all pretrial motions and has severely limited the defendants opportunity for a fair trial and impartial jury by treating trial spectators out of respect for the court.

Meanwhile, marshals began dragging out individuals inside the courtroom. More than two dozen people were physically removed before Judge Bottum reversed his order at the urging of AIM Executive Director Dennis Banks, who had arrived in Sioux Falls to join the vigil in support of Ramon, one of the defendants in the Banks-Means trial in St. Paul.

The drum singing continued in the tightly secured hallway as Judge Bottum met in camera with the defendants and counsel. The judge capitulated from his hard-line position, apologizing for jailing Ramon, who incidentally is one of his contenders in the circuit court election next month. He further reinstated the two out-of-state counselors—Jack Pratt of Los Angeles and David Allen of Seattle—and granted the defense motion that David Hill represent himself in the course of the trial. In the interim the state supreme court had denied the increase in peremptory challenges.

After an all-night vigil on the jailhouse lawn, court resumed the next morning. More than 100 people packed the courthouse, which was heavily patrolled by U.S. marshalls and plainclothesmen. A 24-man squad of tactical police on call since the interruption of the trial the previous day were soon mustered when the courtroom spectators defied Judge Bottum's order to stand for the court or leave. While all proceedings were halted, the more than 50 supporters who were not admitted gathered outside the courtroom, chanting the song of the American Indian Movement to the beat of the traditional drum.

In pretrial hearings sociologist Jay Schulman of New York testified that 60% of the population of South Dakota is prejudiced, according to his jury surveys within the state. At an earlier hearing the state prosecutor could not obtain a fair trial in Custer.

After three days of hearings the court on April 18 refused to dismiss the cases. The defense had moved to disqualify Bottum for being too prejudiced against Indians and that the trial court was hopelessly biased against the defendants. The defense sought a decision from the state supreme court to increase the number of peremptory challenges which Judge Bottum had limited to a total of 15 for each of the five defendants. The defense argued that a jury could not be obtained in Custer.

In pretrial hearings sociologist Jay Schulman of New York testified that 60% of the population of South Dakota is prejudiced, according to his jury surveys within the state. At an earlier hearing the state prosecutor could not obtain a fair trial in Custer.

Another pretrial defense motion questioned the jurisdiction of the state of South Dakota on grounds that the Black Hills, where Custer is located, is Indian land, held under the 1868 Great Sioux Nation Treaty.

It is believed that this is the first time in a criminal case that the Sioux ownership of the Black Hills has been raised. Vine Deloria, Jr., a Colorado attorney and noted researcher on Indian treaties, testified on April 16 that the Black Hills were stolen from the Sioux by fraudulent legislation and litigation. Sioux Treaty Chief Red Cloud believed he was leasing the "tops of the hills" to feed and clothe his people. He never actually signed the proposed agreement of December 1868 that extinguished the rights of the Black Hills area. The agreement went into effect as a result of a legal action in 1877. The so-called Agreement was unilaterally ratified by an act of Congress in 1877.

Dorlia explained that over the period of 1868-1876 there was continuous agitation about the gold deposits in the Black Hills, which had precipitated an invasion of mining companies, contrary to the 1868 prohibition of white settlement beyond the Wyoming and Nebraska borders. In 1876, following a mining expedition to determine the gold deposit, a commission rationalized the leasing of all the Black Hills because the Sioux were not self-supporting, having received annuities, which were provided every five years, until the gold was discovered.

The mining companies were leasing the "tops of the hills" to white prospectors, who took the same stand are were only reprimanded and went free. The Indian protesters are beaten while whites who take the same stand are pushed aside for their protection. From Wesley Bad Heart Bull's murder in January 1973, which precipitated the March 26, 1973 protest in Custer to Dorlia's assault on Indian people in the locked courthouse where Wesley's mother faces trial for protesting the leniency toward his white murderer, the South Dakota dual system of justice has prevailed.

On April 25 defense attorney Ramon Roubideaux was cited for contempt when he refused to continue with the "legal lynching" in Judge Bottum's court. The defense sought a decision from the state supreme court to increase the number of peremptory challenges which Judge Bottum had limited to a total of 15 for each of the five defendants. The defense accused the judge of continual delaying tactics and after a 45-minute recess to have us consider the consequences of the defense's contempt motion.

While Judge Bottum could not go along with the defense claim of inherent prejudice against Indians in South Dakota, events in his courtroom continually point to the contrary. The Indian lawyer is jailed while the whites are only reprimanded and go free. The Indian protesters are beaten while whites who take the same stand are pushed aside for their protection. From Wesley Bad Heart Bull's murder in January 1973, which precipitated the February 6, 1973 protest in Custer to Dorlia's assault on Indian people in the locked courthouse where Wesley's mother faces trial for protesting the leniency toward his white murderer, the South Dakota dual system of justice has prevailed.

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In pretrial hearings sociologist Jay Schulman of New York testified that 60% of the population of South Dakota is prejudiced, according to his jury surveys within the state. At an earlier hearing the state prosecutor could not obtain a fair trial in Custer.

After three days of hearings the court on April 18 refused to dismiss the cases. The defense had moved to disqualify Bottum for being too prejudiced against Indians and that the trial court was hopelessly biased against the defendants. The defense sought a decision from the state supreme court to increase the number of peremptory challenges which Judge Bottum had limited to a total of 15 for each of the five defendants. The defense accused the judge of continual delaying tactics and after a 45-minute recess to have us consider the consequences of the defense's contempt motion.

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not clearly obtained, disregarded totally the ownership of the Black Hills, providing annuities by reservation and thus obliterating Indian rights to common land claims.

Deloria stressed that neither of the succeeding acts of 1877 or 1889 say anything to abrogate the provisions of the 1868 Treaty, which included the Black Hills within its land boundaries and provided annuities to the Sioux people for an uninterrupted period of 50 years. The chiefs attempted not to sign these agreements until the previous terms of the 1868 Treaty were met; they had been paid for only 15 of the 50 years annuities, they claimed.

Only recently have the Indian people even realized how the Black Hills were taken from them. Up to then they accepted the events of history. The defense urged Judge BOTTUM "to right the wrongs of our forefathers." Counsel continued: "For a century this country has lived a lie. For the first time we can begin to right these wrongs and we can begin it in this courtroom."

Still, there has been no opportunity for the Sioux people to make a legal claim. The monetary claim granted on February 15, 1974 is now under settlement. As reported in Newsletter #12, the Indian Claims Commission offered the six Sioux tribes and the Arapahoes $17.1 million for the land plus interest, a total of $104 million. An additional $450,000 for gold extracted prior to 1872 was also offered. The Black Hills Sioux Nation Treaty Council, which instituted the claim, publicly repudiated the settlement offer saying, "the sacred Black Hills are not for sale."

The Custer trial resumed on May 14, following Judge Bottum's refusal to grant a mistrial or a 120-day delay on the streets, in patrol cars, buses, and igniting the bullets in their ammunition. So great is the sight of young liberals and radicals is so great today, struck a hard blow to me as I learned that the F.B.I. and other police authorities had on Friday ended the lives of five young persons, all reportedly members of the S.L.A.

It was with great distress, after viewing the six o'clock news Saturday that I reread John Richiliano's article "Kunstler Speaks of Justice in America" (Gavel, May 13). In the article, Kunstler was quoted as saying "violence is a political reality," and the most effective means of reaffirmation 2,000 years ago was fear--it still is today. Such irresponsible rhetoric from this man, whose character with young liberals and radicals is so great today, struck a hard blow to me as I learned that the F.B.I. and other police authorities had on Friday ended the lives of five young persons, all reportedly members of the S.L.A.

The scene of their death was tragically bizarre. Reporters told that large crowds gathered when the police arrived and that persons were heard to chant when police began pouring rounds of ammunition and tear gas bombs into the little house where the police had been hiding. It was said that when the tiny citadel burst into flames from an exploding bomb, no one even attempted to put out the fire. Reporters stated that the crowd of police and civilians, watched and waited, while those inside died as violently and tragically as in recent months they had died, falling with the smoke of the raging fire and their bodies tormented by its flames. A newsreel disclosed that after the police-caused fire had consumed its victims and ignited the bullets in their ammunition belts, tearing their bodies beyond recognition, sacks were finally summoned and the blaze was put out. And as the police inspected their work, the bodies of the five young Americans were shoved into bags, thrown into a truck and carried off to a morgue.

Why? These members of the Symbionese Liberation Army wanted to feed the poor, wipe out racism and other forms of oppression and give credence to the notion that all persons must stand equal under the law. Their means chosen to meet these goals, goals which anyone must agree should be foremost directly at our housing quarters at the Van Brunt Building.

A REPLY TO WILLIAM KUNSTLER

BY JAMES BURGE

WOLF, IN THE AIR

FROM PAGE FOUR

Do you feel yourself becoming woozy, your head spinning? Have you been experiencing nausea, headaches and a bout of sneezing lately? I am not a doctor, but it sounds to me like you are suffering from the infamous Cleveland Air Sickness-let's call it "lack of breath."

Cleveland, in one of its fits of progressiveness, has a comprehensive emission control ordinance which was adopted in 1969. In Chapter 19 of that ordinance the penalties are listed for not abiding by the law. But as evidence by Tuesday's emergency alert and 232 air quality reading, this ordinance has not been what one would call totally effective.

We still hear cries from such unbiased individuals as Henry Ford that Americans are alarmists, that there isn't any overwhelming evidence that our urban areas are suffering from air pollution. Yet in Washington vs. General Motors (U.S. 109) Justice Douglas states that "Air pollution, of course, one of the most notorious types of public nuisance in modern experience."

It is my feeling, and for some reason seems to me to be others, that clean air is a right that all individuals should enjoy. As future lawyers, each one of us should be concerned about the responsibility to try to effect change so that clean air can become a possibility in American cities.