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Supreme Court rules against 'Daily'



Daily photo by Dave Bookian

Lower courts reversed; search warrants upheld

By Mike Charlson

In a major defeat for newsgathering organizations, the Supreme Court ruled yesterday that a newspaper's offices may be searched by police wielding a search warrant even if none of its employees is suspected of a crime.

In its ruling in *Zurcher v. The Stanford Daily*, the Court struck down decisions of the federal District Court for Northern California and the 9th Circuit Court of Appeals by a 5 to 3 vote.

The initial suit filed by the Daily sought a ruling that a search of its offices by Palo Alto police officers looking for evidence against participants in a Medical Center demonstration in April 1971 was unconstitutional.

In the majority opinion, written by Justice Byron White, the Court held that "the critical element in a reasonable search is not that the owner of the property is suspected of a crime but that there is reasonable cause to believe that the specific 'things' to be searched for and seized are located on the property to which entry is sought."

Rejected arguments

The Court also rejected Daily arguments that newsgathering operations would be disrupted and confidential sources lost if searches were allowed.

"Properly administered, the preconditions for a warrant — probable cause, specificity with respect to the place to be searched and the things to be seized, and overall reasonableness — should afford sufficient protection against the harms that are assertedly threatened by warrants for searching newspaper offices," the Court opinion stated.

The 39-page set of opinions included a strongly worded dissent by Justice Potter Stewart, with which Justice Thurgood Marshall concurred. Justice John Paul Stevens wrote an additional dissent.

Chief Justice Warren Burger and Associate Justices Harry Blackmun, Lewis Powell and William Rehnquist joined White for the Court. Justice William Brennan did not participate in the decision due to illness.

Swift reaction

Reaction to the decision was swift. Daily Editor David Ansley said, "We are appalled at the Supreme Court's cavalier attitude toward freedom of the press. It's a sad day in the history of the U.S. press when the High Court condones surprise searches of newspaper offices by police looking for evidence against other parties."

Edward Kohn, 1971 Daily managing editor and a plaintiff in the suit, called the decision "Richard Nixon's greatest legacy."

And Jack Landau, director of the Reporter's Committee for Freedom of the Press called the decision "a constitutional outrage."

Petitioner in the case Palo Alto Police Chief James Zurcher said he had not seen the decision, but said he had "long felt our position was a good one." He said he was pleased with the court's ruling.

'Sensitive to issues'

"We will be sensitive to issues that affect the needs of the press," Zurcher said. "It has long been our position that the press needs to operate in a free and unchilled atmosphere. However, it sometimes may be necessary to search and seize from third parties."

The lower courts had held that the First and Fourth Amendments

forbade issuance of a warrant to search third parties unless there is proved probable cause to believe a subpoena would be impracticable.

The District Court also held that when a newspaper is involved, additional First Amendment interests are at stake, so that a search warrant could be used "only where there is a clear showing that 1) important materials will be destroyed or removed from the jurisdiction; and 2) a restraining order would be futile."

'Sweeping revision'

White's 19-page majority opinion blasted Chief Judge Robert Pechham's District Court opinion calling it a "sweeping revision" of the Fourth Amendment which no federal court had authority to make.

Moreover, the Court ruling stated, "the reasons presented by the District Court and adopted by the Court of Appeals for arriving at its remarkable conclusion do not withstand analysis."

"It is untenable to conclude that property may not be searched unless its occupant is reasonably suspected of crime and is subject to arrest," the majority stated.

Balance struck

"As we understand the Fourth Amendment . . . valid warrants to search property may be issued when it is satisfactorily demonstrated to the magistrate that fruits, instrumentalities or evidence of a crime is located on the premises. The Fourth Amendment has itself struck a balance between privacy and public need, and there is no occasion or justification for a court to revise the Amendment and strike a new balance by denying the search warrant in the circumstances present here . . ." the Court stated.

In his opinion, White said protection from potential threats to First Amendment rights of free press would be afforded through proper administration of rules pertaining to issuance of warrants.

"There is no reason to believe . . . that magistrates cannot guard against searches of the type, scope and intrusiveness that would actually interfere with the timely publication of a newspaper," the opinion stated.

"Nor, if the requirements of specificity and reasonableness are properly applied, policed and observed, will there be any occasion or opportunity for officers to rummage at large in newspaper files or to intrude or to deter normal editorial and publication decisions."

"Nor are we convinced . . . that confidential sources will disappear and that the press will suppress news because of fears of warranted searches," the Court said.

But in his dissent, Stewart disagreed with the Court's First Amendment analysis:

"It seems to me self-evident that police searches of newspaper offices burden the freedom of the press," he said.

"It requires no blind leap of faith to understand that a person who gives information to a journalist only on condition that his identity will not be revealed will be less likely to give that information if he knows

that, despite the journalist's assurance, his identity may in fact be disclosed . . . It seems obvious to me that a journalist's access to information, and thus the public's, will thereby be impaired," Stewart said.

Police injured

The search by Palo Alto police of the Daily offices on April 12, 1971 occurred after a violent demonstration at the Medical Center three days before in which nine police officers were injured.

Seeking identities of possible assailants, police obtained a search warrant from Municipal Judge Barton Phelps to search Daily offices. Four officers did search through Daily photo files and desks, but they found nothing.

According to University News Service officials, the search, ironically, was unnecessary.

Robert Beyers, director of the News Service, said yesterday, "I personally informed . . . Zurcher shortly after the sit-in that a Stanford police photographer had the only sequence of pictures showing the breakout from the barricades at the hospital," he said.

Hundreds of photos

Medical Center News Service Chief Spyros Andreopoulos said yesterday that his staff had taken "hundreds of photos" of the demonstration which, he had informed Zurcher, were available.

According to Andreopoulos, after he informed Zurcher about the pictures, he was never contacted about them again. "The next morning, I picked up the paper and read about the raid on the Daily offices," he said.

The Daily has 10 days to petition for a rehearing before the High Court, but Ansley said it was unlikely that it would.

"The decision was one which clearly has national implications," Ansley said. He said the interest in the case is a good example of that. Yesterday the Daily was contacted for comment by more than 40 separate newsgathering organizations from around the country. All three major networks carried the story on national news programs.

Newsmen comment

Comments from newsmen from across the country bemoaned the decision, pointing out that it means that not just newspapers, but all citizens may be subject to warranted searches as a result of the ruling.

In his dissent attacking the Court's Fourth Amendment analysis, Stevens pointed this out, stating:

"Countless law abiding citizens — doctors, lawyers, merchants, customers, bystanders — may have documents in their possession that relate to an ongoing criminal investigation. The consequences of subjecting this large category of persons to unannounced police searches are extremely serious."

Law Prof. Gerald Gunther, a nationally known constitutional scholar at the Law School, said he does not feel the decision was "as crushing a defeat for the press as it is likely to be represented as being."

"Justice Powell's vote was essential to the decision," Gunther said. "His concurrence emphasizes that there is considerable room for recognizing the First Amendment values special to the press in the issuance of search warrants."

Gunther said he was not surprised at the decision, but thought it was "regrettable. I happen to agree with (Please turn to back page)

Reaction: happiness, concern

Reactions of the various persons involved in the seven year litigation which culminated with yesterday's decision ranged from happiness to dismay.

The attorney who represented the Daily before the Supreme Court, Jerome Falk, said, "My reaction is one of great disappointment."

"I have a fear that the result will be abused," he continued, "and that it will not just be used against newspapers, but in other places where information is stored. Such places as banks, hospitals, lawyers offices and other neutral depositories of data may now be subject to search."

"I'm happy that the highest court in the land agreed that we were following the law when we did what we did," said Santa Clara County Dis-

(Please turn to back page)



Daily Editor Dave Ansley and Associate Editors Dan Fiduccia and Randy Keith sharply criticized the U.S. Supreme Court for its decision against the Daily at an afternoon press conference yesterday in the Daily offices (above). During the day, more than 40 representatives of the national media called the Daily asking for comment on the court's ruling. Palo Alto Police Chief James Zurcher (right), one of the petitioners in the case, sported a grin after hearing the news that the high Court had ruled in his favor, reversing two lower court decisions.

'The Pentagon Papers could never have been published'

Editors nationwide pan ruling

Newspaper editors took sharp objection yesterday when the U.S. Supreme Court ruled police with warrants may search a newspaper office for criminal evidence. "Just plain awful," "terrible," "incredible," were the judgments of several prominent editors.

Many said freedom of the press had been eroded — that it will be easier for officials to interfere with newspaper operations, and it will be harder for reporters to work in confidence with sources.

Benjamin Bradlee, executive editor of the Washington Post, said that under the ruling, "the Pentagon Papers could never have been published. The police would have entered newspaper offices and seized them, before newspapers could bring the facts to the people."

"If this decision were in force during Watergate, it requires no stretch of the imagination to see police in these offices on a regular basis on a fishing expedition for Messrs. Nixon, Mitchell, Haldeman, Ehrlichman and company. The requirement of a warrant is no real protection, for the government can always find a judge to issue a warrant. It's just plain awful," he said.

'Terrible decision'

Bill Thomas, editor of the Los Angeles Times, said, "I find it an incredible decision, a terrible decision. It's hard to believe that a rational court could issue it."

"It seems clear from the language of the decision that Justice White neither cares much nor knows much about the problems of the press, but then he's demonstrated that before. I simply think it's going to take us some time to figure out how to live with this blanket authorization for search parties to walk in the door with a slip of paper giving them access to our files."

Thomas said the decision seems to indicate police could seek search warrants to examine reporters' notes.

"They could take a reporter's story on a crime to the judge and say, 'this guy probably knows more than he told in the story.' I can see no end to this thing," he said.

"What are you going to do?" asked Bob Healy, executive editor of the Boston Globe. "You're going to have to keep your notes in your pocket." Several editors also suggested that by the same logic, police could search lawyers' files next.

Complete misapplication

"I think the ruling is a complete misapplication of search warrants and that subpoenas for specific information are a more proper way to get information if they want it," said Barclay Jameson, managing editor of the New Mexican in Santa Fe, and president of the Associated Press Managing Editors Association.

"This allows police simply to invade newspaper offices at will to search for things which are totally undefined," he said. "It could easily be used as harassment to prevent the production of a newspaper." And, he added, "I would assume the court would rule that search warrants could be used to invade a lawyer's office."

Jerry Friedheim, executive vice president and general manager of the American Newspaper Publishers Association (ANPA) in Reston, Va., said ANPA was "extremely disappointed . . . We believe the guarantees of the First and Fourth Amendments could be substantially eroded by the opinion. It appears that police attempts to secure information from a newspaper about possible crimes by others may no longer be afforded the full due process requirements of a subpoena."

Overzealous officers

"Rather, the court seems to have left open a back door that could allow overzealous law enforcement officers to present only their side to a magistrate, obtain a warrant, and then raid the news and editorial rooms of a newspaper."

Keith Fuller, president and general manager of The AP, called the decision "disappointing" and added, "My main concern is that this could open the door to harassment in situations where local authorities are irritated over news coverage."

Mitch Farris, news director of KRON-TV, called the decision "extremely distressing" and said the

decision gives police officers "rights bordering on totalitarianism." He said he thought most law enforcement officers would not abuse the rights they were granted by the ruling but "I worry about the bad apples."

Crazed, maniacal

Farris said, "there is going to be some police chief who has some crazed, maniacal idea and is going to come in and ransack a television station or a newspaper."

International Association of Police Chiefs spokesman Bill Ellingsworth said news media had overreacted: "Police are not going to stage wholesale raids on newsrooms around the country. I don't think it is as sinister as it may appear to people."

Nevertheless, many editors expressed concern over how to handle confidential files in the future.

John Leard, executive editor of the Richmond, Va., Times-Dispatch, said the decision will "raise questions about what material in the form of notes and photographs should be obtained or retained," and "makes it imperative to find ways to keep the gathering of news separate from the inadvertent gathering of evidence for other purposes."

April 12, 1971 — Palo Alto police use a search warrant to ransack the offices of The Stanford Daily in an attempt to find photographs of demonstrators clashing with police. The pictures which the police officers sought did not exist, and they left empty-handed. This is the first time in American history a newspaper is searched.

Oct. 18, 1973 — Oakland police use a warrant to force attorneys for the Berkeley Barb to turn over letters which the Barb received from August 7 Guerrilla Movement.

Nov. 9, 1973 — Berkeley police and Alameda County district attorney's investigators use a search warrant to make a night time search of Berkeley radio station KPFA and obtain a letter which the Symbionese Liberation Army (SLA) had mailed to the radio station.

Feb. 7, 1974 — Berkeley police use a warrant to force the Berkeley Barb's attorneys to turn over a

communicate which the Barb received from the SLA.

June 6, 1974 — FBI agents use a search warrant to force Berkeley Barb attorneys to hand over a letter which the Barb received from the Black Liberation Army.

Oct. 10, 1974 — Los Angeles police use a warrant to search Los Angeles Radio Station KPFA for more than eight hours in an attempt to find a letter which the New World Liberation Front (NWLF) mailed to the radio station. Though no letter was found, the police seized several documents.

Oct. 16, 1974 — San Francisco police and FBI agents use a search warrant to compel San Francisco radio station KPOO to hand over a letter from the NWLF.

Oct. 17, 1974 — Los Angeles police use search warrants to seize printing plates from the printing plant of the Los Angeles Star, and then search the

Star's offices and seize files as part of a criminal libel prosecution against the newspaper.

Sept. 23, 1977 — Coventry, Rhode Island police use a search warrant to force Providence TV station WJAR to turn over film of an altercation in a strike picket line.

Dec. 27, 1977 — Marin County district attorney's investigators obtain search warrants against Bay Area TV stations KRON, KGO, KPIX and KTVU, and use the warrants to force KGO and KPIX to turn over film of protesters fighting with sheriff's deputies.

April 10, 1978 — Lincoln County, Montana sheriff's deputies use a search warrant in an attempt to force an Associated Press bureau to turn over a tape of a conversation with a murder suspect. As in the case of KRON-TV on Dec. 27, 1977, lawyers are able to get the search warrant thrown out before the newsroom is searched.

See tomorrow's Daily for the text of the court's decision and dissenting opinions.

A history of search warrants against media

Editorials

Zurcher v. Stanford Daily

Once again, the Supreme Court has chipped away at the foundations which underlie our most fundamental freedoms — the freedom to be secure in our homes and offices from unreasonable searches, and the freedom of the press.

In deciding *Zurcher v. The Stanford Daily*, the high Court ruled yesterday that a judge may issue a search warrant directed at third parties not suspected of a crime — including newspapers from the Daily to the Washington Post — if he has probable cause to believe that the party possesses evidence of a crime.

We believe that the Court's decision represents a green light for law enforcement agencies to search newsrooms for files, tapes, film and even reporters' confidential notes.

The search of the Daily's offices on April 12, 1971 was unprecedented in the history of American journalism. However, since then, nine other newspapers and radio and television stations have been subjected to similar, surprise searches.

There is every reason to believe that searches of news organizations by warrant-bearing policemen will be an increasingly used investigative technique, now that the Supreme Court has given its approval. In the long run, of course, the reading and listening public will suffer the consequences.

As Justice Potter Stewart wrote in his dissenting opinion in the *Daily* case, "The end result, wholly inimical to the First Amendment, will be a diminishing flow of potentially important information to the public." We couldn't agree more.

Knowing that the newsroom is subject to surprise search at any moment, editors and reporters will certainly be more hesitant to investigate criminal activity and government wrongdoing. And, quite understandably, formerly "confidential" sources will be much less likely to talk to reporters who can no longer protect their identity.

In an affidavit filed in the *Daily* case, New York Times reporter Douglas Kneeland said, "It will matter not that the newspaper or the individual (reporter) is an unwilling accomplice of the government. An accomplice he will be, his hardwon reputation for independence shattered. Doors will be closed. And the public will be deprived of much that it has the right and need to know."

Yesterday's Supreme Court decision may also have serious implications for a broad range of individuals who have information about a crime, but are not suspected of committing it. Justice Stevens wrote, "Countless law abiding citizens — doctors, lawyers, merchants, customers, bystanders — may have documents in their possession that relate to an ongoing criminal investigation." Under yesterday's decision, all would be subject to surprise searches by police.

Essentially, then, the Supreme Court's decision in *Zurcher v. The Stanford Daily* struck a blow, not only at a free and independent press, but also at the rights of each and every citizen of the United States.

Tuition tax credits, election board

Tax Credit proposal

The Congress is currently considering a proposed tax credit for the parents of college students. Congress is looking at proposals which are not based on need, and thus we hope the Congress will instead approve President Jimmy Carter's proposal to add more than \$1 billion to existing financial aid programs, which are based on need.

Carter's proposal will help both middle-class families and students who attend private universities. We feel Carter's proposal is more sensible and equitable, and we join the University in endorsing it.

Election Review Board commended

The Election Review Board has delivered to the ASSU Senate its final report on last fall's senate campaign and election, and has thus finished its task. We again commend the ERB for the diligence and time they have spent since they were appointed.

Though we wish the 200-page report had been finished a bit sooner, we feel it was worth waiting for. The report clearly and fully details the problems and events of last fall, and the record of the board's investigation should serve as a valuable precedent to the community.

We hope next year's Senate will carefully consider all of the ERB's cogent recommendations. The length of the report may scare some people, but the report is well worth reading, particularly for those who think it's impossible for the ASSU to do anything correctly and well.

PLO: freedom fighters or terrorists?

Michael Wenocur

The Arab propaganda machine in the United States, financed to the tune of 50 million dollars per year by oil-rich Saudi Arabia, is attempting to portray the Israelis as brutal murderers who prey on innocent Arab civilians.

But they are, in fact, projecting their own deeds onto the very victims of those deeds.

The list of massacres perpetrated on the Jews of Palestine and Israel by their Arab neighbors is nearly endless. In the years 1929 and 1936-9, hundreds of Jewish men, women, and children were massacred in the Hula and Hebron riots incited by Haj Amin el Husseini, the Grand Mufti of Jerusalem who convinced his friend Adolf Hitler to exterminate the Jews in Europe.

In more recent years, just to name a few cases, the PLO-sponsored Red Army terrorists massacred 27 tourists at Lod Airport on May 30, 1972. Seven innocent Israeli athletes were brutally murdered by Palestinian terrorists at the 1972 Olympics, 24 schoolchildren were murdered in 1974 at Maalot, 18 Israelis massacred in 1974 at Kiryat Shmoneh. And only this year, PLO "heroes" hijacked a bus containing civilian bus drivers and their wives and children returning from a weekend holiday — and massacred 34 of them.

Non-military targets
So far the "brave" terrorists of the PLO have yet to find the courage to attack a military target. Rather, they choose to blow up school buses and to place bombs in crowded marketplaces, where innocent men, women and children are indiscriminately destroyed. In the last decade, Arab terrorism has killed 1131 and wounded 2471.

And yet, with their reprehensible history of murder, the Arabs are playing the oldest game in the history of politics; accusing the other side of the crimes which in fact, they themselves have committed.

Every propaganda article written by the Arabs includes mention of the so-called "massacre" at Deir Yassin in 1948. (Strangely enough, even the propagandists cannot find another example of so-called acts of terrorism committed against the Arabs).

But let us take a closer look at what actually happened on April 10, 1948 at Deir Yassin.

On Nov. 29, 1947, the United Nations voted that Palestine be partitioned into an Arab and a Jewish State. But on May 15, 1948, when the tiny State of Israel declared its independence, it was immediately invaded by the combined armies of Egypt, Jordan, Iraq, Lebanon, and Syria, whose stated goal was to annihilate the Jews in Israel. (Egypt and Jordan ended up occupying and illegally annexing the Gaza Strip and the West Bank, which were to be the major portions of the Palestinian Arab State).

War of extermination
Even before this full scale invasion, on Nov. 30, 1947, the Palestine Arabs, Arab League, and The Arab States declared war on the UN resolution and the Palestinian Jewish community.

In the course of this war of extermination, the Arab armies attempted to capture Jerusalem by placing it under siege and starving its 150,000 Jewish civilian occupants. The major

access route for food and supplies to Jerusalem, the Tel Aviv-Jerusalem road, was being continuously blockaded and shelled from the small Arab villages overlooking the road from the hills.

Deir Yassin was one of these villages, the other was called Castel. Both villages were heavily fortified and militarily interconnected. The Haganah, the Jewish Defense Force, took the town of Castel in a battle in which they lost many men. And the second of these villages holding Jerusalem under siege, Deir Yassin, was to be assaulted by the Irgun, the smaller Jewish paramilitary force.

Warning broadcast
In early dawn of April 10, 1948, a small truck with a loudspeaker, accompanying the 100 poorly-armed Jewish soldiers, drove near the village entrance, and broadcast a warning in Arabic that an attack was imminent, and all civilian non-combatants should evacuate.

About 200 villagers did leave; none were harmed, and all were afterwards released in the Arab part of Jerusalem. The actual battle began when the Palestine Arab and Iraqi

garrison hung out white flags near the village entrance.

The advance party of the Irgun was met by a hail of fire as it approached; the commander was hit. Fierce house-to-house fighting followed; most of the stone buildings were defended hotly, and were captured only after grenades were thrown inside.

When the fighting ended, the 100 Irgun soldiers had four dead, 41 casualties. In the captured houses they were horrified to find bodies of women and children alongside the combatant Palestinians and Iraqis.

Innocent victims
Whatever was their reason for not leaving after the broadcast warnings, they were innocent victims of a cruel war; and the responsibility for their deaths rests squarely upon the Arab soldiers whose duty it was — under any rule of war — to evacuate them the moment they turned Deir Yassin into a fortress, long before the battle for the village began.

A statement by Yunes Ahmad Asad, an inhabitant of Deir Yassin who survived the battle, appeared in the April 9, 1955 Jordanian Daily "Al-Urdun":

"The Jews never intended to hurt the population of the village, but were forced to do so after they met enemy fire from the population which killed the Irgun commander."

No comparison
Arab propagandists would like to degrade the freedom fighters of the Irgun to the same level as the terrorists of the PLO. But there is no comparison to be made.

"We fought to save a people. They shoot in order to destroy a people. Look at the methods we used. We did whatever was humanly possible to avoid civilian casualties, sometimes at the risk of the lives of our own fighting men. We warned away any and every civilian, whether Jew, Briton, or Arab, from the zone of danger in advance.

What do they — the so-called PLO — do? They make the civilian population the target of their bloody attacks on men, women, and children. They never express regret or sorrow when they have "succeeded" to kill an innocent Jewish man or woman or child. On the contrary, they rejoice in it. That is the difference between fighters and killers. That is the difference between the Jewish underground and those killers of the so-called PLO." (Menachem Begin, 1976)

(Michael Wenocur is a graduate student in statistics.)

Opinions

Letter

Animal victimization

In lieu of the recent public controversy over animal victimization (i.e. cow-tipping), we, the undersigned, would like to expose the all too prevalent occurrences of pig painting.

Slightly sadistic political activists have, in the guise of publicizing their beliefs, painted various slogans and caricatures in mural form on the undersides of unsuspecting porkers.

This atrocity was brought to our

attention when one of our party, a worker in a local record store, noticed a recent surge in the sales of the Pink Floyd album *Animals*, containing the song "Pigs."

After careful investigation, we discovered that this music was used to lull innocent piglets into a trance-like state during which their immaculate pink skins were tarnished by brutal political Picasso's.

Pig proponents unite: stop this abominable infringement upon the rights of our porcine friends. Pigs are people too.

Ivan Maisel
Dave Menchel*
Adrian Moravcsik
John Peck
Jean Valette
Members of P.O.R.K.I.E.S.
(People Opposing Rapacious, Kruel and Irksome Exploitation of Swine)



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Prop 13 tops California election

Sacramento (AP) — California's congressional delegation in Washington and the state Legislature in Sacramento will contain at least 25 new faces next year.

Twenty-five California lawmakers — 12 Democrats and 13 Republicans — are not seeking re-election this year to seats in Congress of the Legislature.

And the number could be considerably higher if the anti-government tax revolt anger behind the Proposition 13 campaign spills over into congressional and legislative races, as some political analysts believe it might.

Proposition 13, the \$7 billion property tax cut initiative by crusty tax cut crusader Howard Jarvis, is the overriding issue of 1978.

As a protest against the status quo — which millions of voters equate with taxes that are too high — Proposition 13 is a threat to incumbents of both parties, but particularly to Democrats, who are more closely identified in voters' minds with spending programs.

Whether that anger recedes by Nov. 7, when voters make the final decision on the 1978 elections, is a question mark.

But the tax initiative question has interjected itself, in a major or minor way, in every campaign in the June 6 race, where dozens of incumbents face primary election opposition.

Here is a brief rundown on the primary races:

Congress — Democrats currently have a 29-14 majority over Republicans in California's congressional delegation, the biggest state delegation in

Washington. But four Democrats and three Republicans are retiring this year, including the two Californians with the most seniority in Congress and both women members of the California delegation.

Only 10 congressional incumbents face opposition from within their own party in the primary, and one congressman, Republican John Roussetot of San Marino, is unopposed in either party.

Some attention-getting races in November are expected to include the bid by Democrat John McFall of Manteca for a 12th term and the campaign of Republican Robert Dornan of Redondo Beach for a second term.

McFall has been troubled by

stories about gifts from Park Dornan's opponent may be Carey Peck, a congressional consultant and the son of actor Gregory Peck, if Peck wins a three-way Democratic primary.

State Senate — Republicans should have a good chance this year to reduce the Democrats' current 26-14 majority in the California Senate, because 17 of the 20 seats up for election this year are held by Democrats.

However, it might not work out that way.

All three Republicans whose terms expire this year are retiring, including one in a district where registration figures give Democrats a strong chance of winning. Only one Democrat is retiring, and his district is

Democratic in registration by a 4-1 margin.

State Assembly — Democrats now have a commanding 57-23 majority in the Assembly, their biggest in a century, so Republicans believe they have nowhere to go but up.

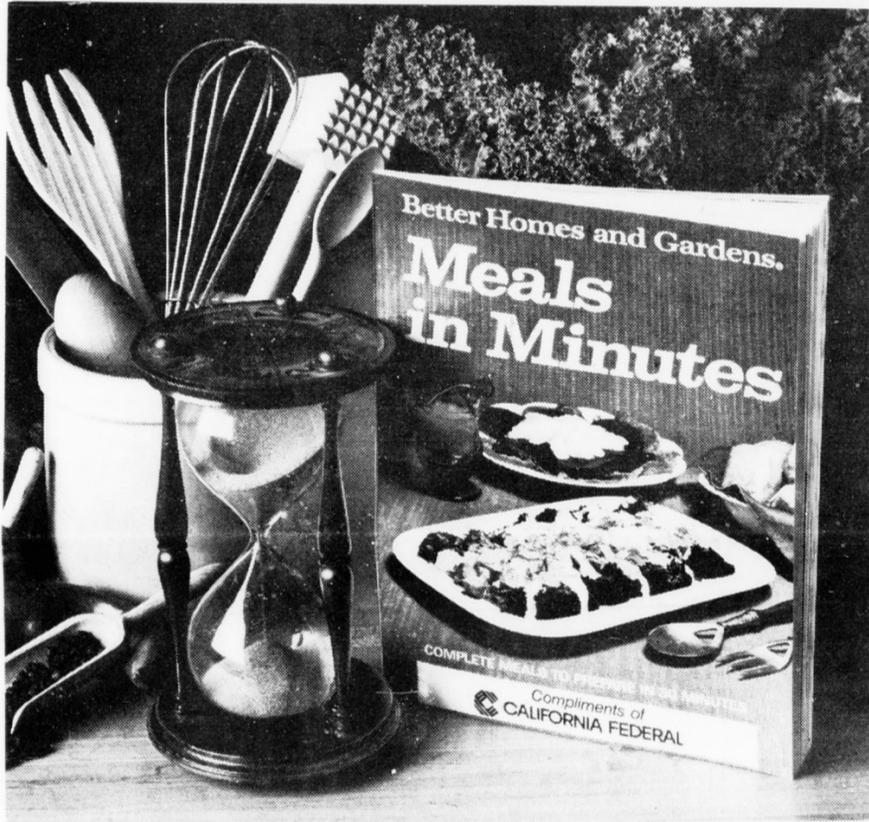
That's not certain, though, as seven Democrats and seven Republicans are retiring. That means the GOP will have the advantage of incumbency in only 16 districts, compared to 50 for Democrats.

The big question is not control of the lower house, which appears firmly in Democratic hands for another two years, but whether Republicans can pick up the four seats needed to deny Democrats the two-thirds majority which assures almost complete control.



—Daily photo by Steve Ungar
In 1971 the City of Palo Alto Police Department searched the Stanford Daily office for evidence to use in court cases. The Daily claimed the decision was illegal, but yesterday the U.S. Supreme Court upheld the use of search warrants in obtaining evidence from newspapers.

Free. The cookbook for hurried cooks.



Yours at California Federal's new Palo Alto office: June 5 to 17.

Now the nation's largest federal savings and loan association is in Palo Alto.

It's the new California Federal office at 2180 El Camino Real. The building's temporary until our permanent quarters are designed.

But there's ample room for a grand Grand Opening!

Come see what's free.

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The cookbook is "Meals in Minutes." When you're pressed for time, pick a page, follow simple directions, and you'll feast in minutes. All the recipes are

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While you're here, take a minute to find out about our high interest savings accounts, tax-saving retirement plans and other California Federal money services. They offer sound, insured ways to build your future.

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This space contributed by the publisher

They said tuberculosis was hopeless.

They said polio was hopeless.

They said smallpox was hopeless.

Cancer is only a disease.

Even when most people considered the struggle against polio hopeless, the people who worked in medical research believed they would someday find the answer.

The same was true for tuberculosis. And for smallpox. The same is true for cancer now.

We know because we hear from people doing medical research in laboratories all over the country. They talk to us because they all need support. They are all excited because they all think they're on the right track. And that the work they're doing will unlock a secret and lead to a solution for cancer. And you know what?

At least one of them is right. But which one? We must support them all.

American Cancer Society

We want to cure cancer in your lifetime.

cat

Today
Bay Area Summer Nutrition Program: Positions with the State of California available. Dept. of Education. Clerical, Nutrition Program Monitors and Lab Assistants. Check with SEO for information on applying. Deadline, June 2.

Black Media Institute Luncheon: Meeting to select a new governing board. Real News, Inc., T.C.B., Nis, Grapevine staff and salespersons should attend. New members welcome. Sign up for lunch by 11 a.m. at Ujamaa. Noon.

Christian Science Campus Counselor: If you have any questions about Christian Science, please stop by, 3 to 5 p.m., room 20, Women's Clubhouse.

Education in China: Colloquium with David and Isabel Crook of Peking Language Institute, 7:30 p.m., Center for East Asian Studies, building 600-T.

Elections Commission: Positions on Commission open. Pick up applications in ASSU office, due by June 7.

Energy Seminar: Dr. Stanley Sussman, Lawrence Livermore Laboratory, "The LLL Energy Model: A Convenient Policy Analysis Tool," 4:15 p.m., room 101, Terman Engineering Center.

Federal Summer Internship: With the U.S. Department of Justice, Bureau of Prisons, in Burlington. Needs college background of four years including Comp Sci, Math or Business. Obtain application forms and submit to CPPC/SEO by June 5. Further information at SEO.

Feminists and their Careers: Pina Iguchi, Management Analyst for the County of Santa Clara, Office of Management and Budget, will be at a bag lunch at de Beauvoir House, (620 Mayfield) at noon.

Future of Innovation in Education: Join the SCIRE task force to explore possibilities of interdisciplinary seminars and monthly publication. Call 497-4504.

Gay Students: Come to the last meeting of GPU tonight at 8 p.m. A social night. Come over and say hello. Second floor, Old Firehouse.

Human Biology Department Beer Bash: This afternoon, 3 to 7 p.m., with the Stanford Jazz Band and other forms of entertainment. Frost Amphitheater.

Japanese Film: "The Bad Sleep Well," with English subtitles. 7:15 p.m., Meyer Forum Room.

Medican Dance Program: Folk dance from the states of Campeche, Yucatan, Michacan, Nuervo Leon and Jalisco will be performed by Stanford students. Noon, White Plaza.

The Nature of Cancer: Prof. Theodore Puck, University of Colorado is well known for developing methods of clonal growth of mammalian cells. Noon, Fairchild Auditorium, Medical Center.

Numerical Analysis Seminar: Michael Osborne, Australian National University, Canberra, "Collection Methods for Boundary Value Problems," 4:15 p.m., room 3807.

Overseas Opportunities Resources Center: Are you ready for distant lands? There's a special Bon Voyage afternoon at Bechtel International Center June 5, from 1 to 5 p.m.

Overseas Studies: Students interested in studying overseas next Winter Quarter should apply by tomorrow. Students going to Paris this Autumn will gather informally with recent program participants. 8:30 p.m., Wilbur Faculty Commons.

Practical Students: The 1977-78 Senior Survey of Premedical and Allied Health Studies is now available at the Academic Information Center, Old Union 306.

Ram's Head: There will be an all-Ram's Head meeting at 7:30 p.m. in Branner Hall Dining Room. We'll be discussing next year's Spring Show and selling "Music Man" cassettes.

Seniors: Free showing of the movie "The Graduate" with I.D. 10 p.m., Cubberley Auditorium.

Stanford Gospel Choir: Rehearsal/Remember Sunday's performance. 6:30 p.m., Ujamaa Lounge.

Taiwan Seminar: Christina Yao of the Asian Languages Department will speak on "Contemporary Literature in Taiwan." 4:15 p.m., Center for East Asian Studies, Bldg. 600-T.

Terra House Future Residents: Important dinner and house meeting to discuss next year's room assignments, work week, rates, etc. All new residents should attend. 5 p.m., "Twenty Questions"; Dr. Michael Scriven, guest speaker, 10 a.m. to noon, room e17, Cubberley.

Future
Ballroom Dance: Practice session from 7:30 to 8:30 p.m. before dance. Toyon Lounge, tomorrow.

Black Activities Center TGIF: This is the last TGIF of this year. We hope to see all graduate and undergraduate students and faculty and staff members there. Don't miss a special TGIF. 3:30 to 5:30 p.m. tomorrow. Ujamaa Lounge.

"Breakers on the Rocks": Members of the Stanford Community considering alternative dining arrangements for next year are invited to a free happy hour, 5 to 8 p.m., tomorrow, the red and white checkered doors at the Eating Club '1.

BSU Workshop: Black House operations, ASSU accounting, political strategy, and planning go for next year. Old and new BSU officers, should attend. Heads of Black organizations welcome. Sign up for lunch by tomorrow at Black House. 11 a.m. to 3 p.m., Saturday, June 3.

Christian Movies: "Shodari Pass," filmed by a Japanese cast and crew. Saturday, June 3, 7:30 p.m., Jordan 040.

The Company: All interested in this student-run drama organization come to this meeting for next year. Saturday, June 3, 6 p.m. in Storey House.

Drama Department: "Scenes from Shakespeare" presented by the Graduate Directing Workshop. Little Theater, tomorrow at 8 p.m. and Sunday, June 4 at 2 p.m.

Escondido Villa Annual Fine Market: 9 a.m. to noon, Saturday, June 3, McFarland Basketball Courts.

Gavilan '76-'77 and Mirlo '75-'76 Reunion: O.K. you guys, it's time to take a moment to reminisce. Today is come 5 p.m., White Plaza, tomorrow.

Hillel: Today is the last day for Shabbat Dinner, tomorrow at 5 p.m., reservations. 497-1602. Bechtel International Center.

Hoover Institution Author Talks: Noted German commentator and journalist Klaus Mehnert will speak on his "Twilight of the Young: The Radical Movements of the 1960s and Their Legacy." 3:45 p.m., deBasilly Room of Hoover Tower. Tomorrow.

Jarvis-Gann debate: Stanford Committee on Political Education presents the pros and cons of Proposition 13 tomorrow, 7:30 p.m., Krieger Auditorium.

Off-Campus Student Center: Free ice cream sundaes, munchies, drinks, volleyball, frisbee. An afternoon for off-campus students. Tomorrow, 4 to 6 p.m., Old Union Courtyard. Sponsored by the OCSU.

Sanctuary: Meditation, conversation, with two attendants. Evening prayer, 8 p.m., St. Mark's Episcopal Church, 600 Colorado. 7 to 11 p.m., tomorrow through Sunday.

Seniors: Last Zos Happy Hour tomorrow. Free beer from 4 to 5 p.m. with I.D.

Stanford-In-Business: All summer internship candidates who were not placed, come and pick up your \$50 check. If you do not show, the check will be destroyed. Available on Monday, June 5. Noon to 1 p.m., Old Firehouse, room 1.

Twenty-Four Hour Study Hall: Free coffee, tea, lemonade, all day, every day from noon, Monday, June 5 to 10 p.m., Monday, June 12.

Undergraduate Political Science Association Picnic: Share free beer, soft drinks, and coals with Pol Sci faculty, their families and fellow students Saturday, June 3, noon to 4 p.m. at Mitchell Park. For more information or rides, call Fred at 328-3108 or Ricky at 328-2562.

The Bridge at 1:30 p.m. tomorrow: Bring food to share for barbecuing. Cars appreciated but not necessary. All women welcome.

High court rules water not mineral

Washington (AP) — Water is not a "valuable mineral" as defined by federal law and therefore may not legally be retrieved from public lands, the Supreme Court ruled unanimously yesterday.

The justices reversed a lower court's ruling that the Interior Department had claimed would "unsettle the law of water rights throughout the western states, drawing into question the validity of private rights long thought to be established."

A group of water-short states in the West and upper Midwest had sided with the federal government. The states included Alaska, Arizona, California, Colorado, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Washington and Wyoming.

Federal mining law provides that "all valuable mineral deposits in lands belonging to the United States" are "free and open to exploration and purchase."

Yesterday the Supreme Court said the law doesn't apply to water.

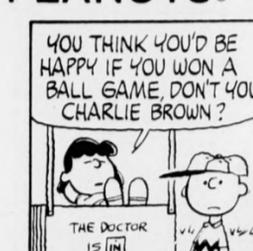
At issue was an interpretation of an 1872 act which allows individuals or businesses to mine "valuable minerals" on public lands. The 9th U.S. Circuit Court of Appeals had ruled that water must be included within the act's definition of "valuable mineral."

The legal controversy began 13 years ago when the Interior Department sued the Charleston Stone Products Co. over its operations on federally owned land near Las Vegas, Nev.

The firm works 25 sand and gravel mining claims, and the government's 1965 lawsuit charged that the claims were invalid because they were not based on discovery of a valuable mineral.

Charlestone had argued successfully in lower federal courts that the water it uses to wash the sand and gravel is a valuable mineral.

PEANUTS



by Charles M. Schulz

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Karla, you're the best roommate I've had. Thank you for a wonderful year. I'll miss you, doll. Love, DECI

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To H.K., a suave and sophisticated munsterite. HAPPY GRADUATION and a sensational Sept in Yugoslavia

Bruce, Dan, Dave, Donna, Jan, Jerry, John, Lawrence, Lewis, Libby, Lynn, Mark, Oosh, Sara, and T-Ray thanks mucho for the great time 5/19 at Foothill Park (at L.D. loop). Galt has my address (hint). Auf Wiedersehen and Thanks Again. SYBB Crowdee

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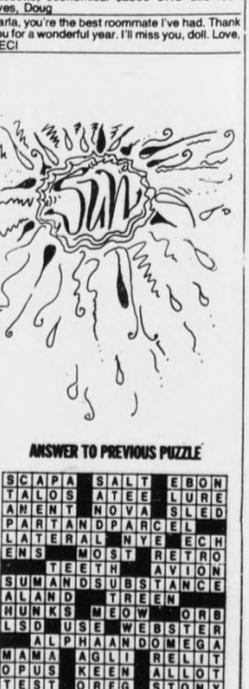
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James Sheehan unravels history, entertains students

By Gary Fremerman
Feet propped on his office desk, fingers interlocked behind his neck, James Sheehan does not seem like a history professor.

A slightly overgrown shock of brown hair, parted at the left temple, covers his right ear. His eyes are blue and he squints when he speaks.

The desk is littered with papers, and the volumes of books stacked neatly in floor-to-ceiling shelves tower over him. Speaking in a deliberate and well-controlled voice, he seems more like a cautious government bureaucrat than a history professor.

Classroom scene
Yet two hours earlier, he was pacing the floor in front of the large classroom, his voice forceful and undulating, informative and theatrical.

Sheehan is a visiting Northwestern University professor teaching Modern Europe: Europe in the 20th century.

Without the help of written notes, he tries to make logical and meaningful the often illog-

ical and meaningless events of history.

Standing before rows of students, he gestures frequently with his hands, as though manually framing the specific events and personalities which represent larger historical themes. Using example after example, he shows, as Marx said, how men make history, but not the history they chose to make.

Students write furiously or stare at him in silence.

Applause
He concludes the lecture and glances at his watch. There is scattered applause, and the 50-minute bell rings seconds later.

"Professor Sheehan's lectures are very dynamic and rhetorical, very well-organized and well-thought-out," says Glenn McDougall, one of eight teaching fellows assisting Sheehan.

Says freshman Roger Awad, "Sheehan's great because he gets his point across, he's dynamic, and he doesn't ram-

ble. So many professors tend to ramble."

Framed in the center of his office window Sheehan is dressed in a blue cotton shirt, blue and white striped tie and camel pants. He is friendly yet reserved, as though consciously maintaining the expected distance between professor and student.

No lecture notes
"There's a certain price you pay for not using lecture notes. It's not always as elegant or well-timed as you like," he says.

"But I feel it's a way of trying to make some sort of contact, of preserving some sort of spontaneity. I don't seek to entertain for entertainment's sake. I try to make things immediate and to add a kind of human concreteness.

"A good story or anecdote ought to provide a way of making analysis concrete, to give a kind of human quality to what you're saying," he says.

Born 41 years ago in San Francisco, Sheehan received his formal education in California, graduating with honors from Stanford in 1958.

Education
He obtained his master's degree a year later at UC-Berkeley and his doctorate in 1964, also at Cal.

"I think the most important

decision I made was to be an academic, and that was much more important than whatever field," he says.

"By the time I graduated from Stanford I thought of either philosophy, English or history, and I chose history by a process of elimination," he says.

He almost chose law. "I guess I asked myself 'Where do I want to spend the rest of my life, who do I want to spend the rest of my life with?'"

"I wasn't sure. The problem is one doesn't really know. You're continually making choices for which you have no basis," he continues.

Family life
Married for 18 years, Sheehan and his wife, Elena, have a 10-year-old boy, Michael. Outside academic life, Sheehan enjoys cooking for them.

After returning to Stanford in 1962 for a brief Western civilization teaching stint, Sheehan joined the faculty of North-

western University in 1964 and is now a full professor there.

His specialty is 19th-century German liberalism, and his second book on that subject will be published this year.

For one quarter at Stanford, Sheehan is delivering two lectures three days a week and is coordinating two directed reading courses.

He is also leading a weekly discussion section, something few full professors do.

Discussion sections
"I think the discussion sections are a good way of understanding how students are experiencing the course, rather than if you just stood out there, said your piece, and went home," he says.

Teaching fellow George Behlmer says he is impressed with Sheehan's involvement in the Modern Europe course.

"He's remarkable in that he's taken such an active role, this being his only quarter at Stanford as a professor. And he's done it from the second he got

here," Behlmer says.

Poking and rearranging some papers on his desk, Sheehan speaks haltingly, as though carefully choosing his words, as he considers the importance of studying history.

"I think that one of the things people have to learn is how to put themselves in other people's shoes, and to imagine what life is like for people quite different from themselves.

"All of us need to find ways to get beyond our own experience, and to see what it's like to be in a very different sort of world. I think history is one very good way to do that," he says.

Sense of histrionic
"Sheehan is clearly a historian who has a sense of the his-

trionic, in that he's true to his subject," says Behlmer. "He doesn't distort for the sake of entertaining, and yet he interacts with his material in a way that is entertaining and absorbing."

"Some one who is as clearly interested in the material and involved as Sheehan can't help but be an interesting lecturer," Behlmer adds.

Does Sheehan consider himself a typical academic, part of the professional "mold?"

The professor moves his feet from desk top to floor, and smoothes a clump of hair toward his right ear.

"I think of myself as being part of the mold. I don't think of myself as moldy, though," he says with a slight smile.

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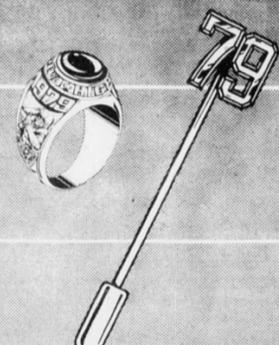
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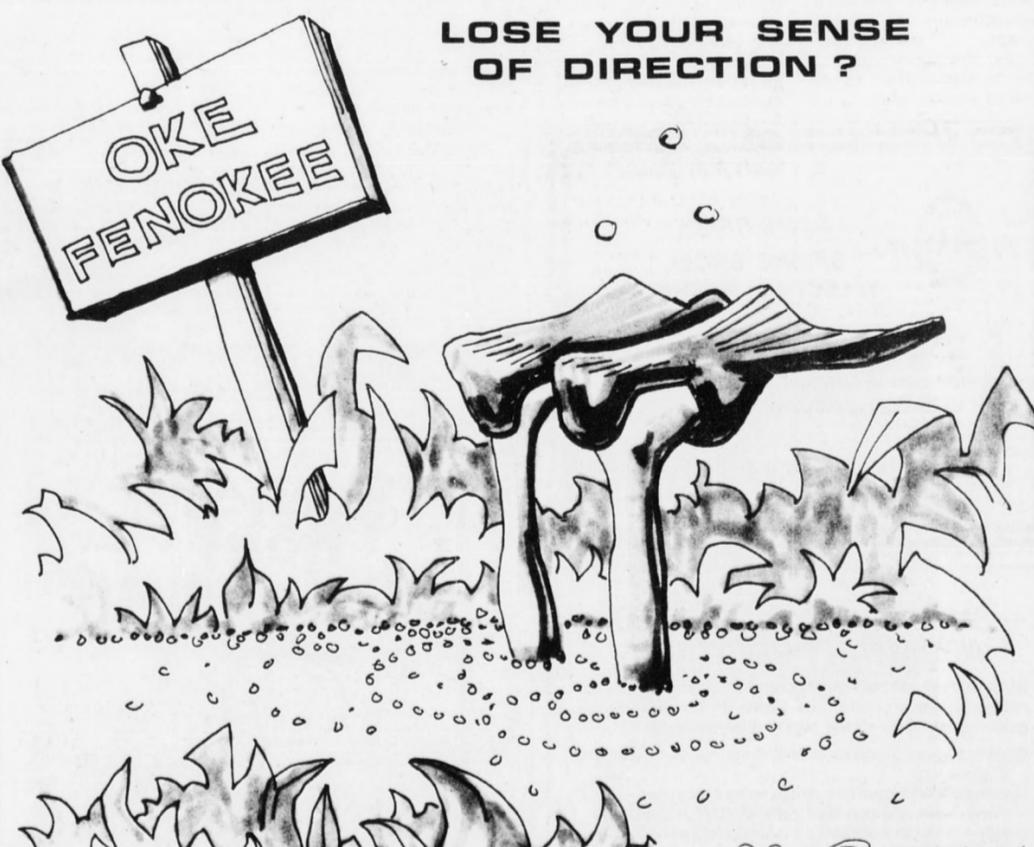
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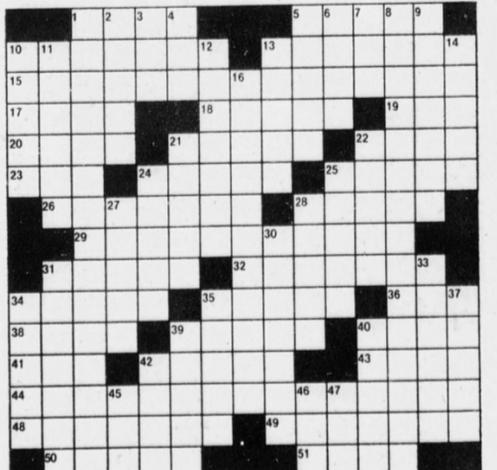
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ACROSS

- Percolate
- Fire worshiper
- Adjusted precisely
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- Cats and dogs
- N.K.V.D. predecessor
- Makes worthless
- Printer's em
- Tennesseans, for short
- Natives of Helsinki
- Church feature
- Chemical suffix
- Twain hero
- Celestial Ram
- He destroys the evidence
- Improve
- Setting limits
- San —, Calif. city
- Battery reading
- Golden shiners
- Where Iloilo is
- Britain's West Point: Abbr.
- Scraps for Spot
- Tenement collection
- Napoleon and Wellington, e.g.
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- Lie hidden
- International business process
- Trust implicitly
- Inclined
- Piece of Bacon
- Autographs

DOWN

- Reasons for the casts of thousands
- Hermia's father in "A Midsummer-Night's Dream"
- Annapolis grad.
- Cosset
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- Monkshood
- Periphery
- Post office, to the postmaster
- Maltreated
- "Oh that I had wings like —": Psalm 55
- African river
- Oracle
- Like the monsoon season
- Kefauver
- Gadget
- De — (in reality)
- Fight site
- Work for F. Lee Bailey
- Friendly relations
- Elaborate parties
- World's biggest holdup man
- Environment
- "Tamburlaine" was his first play
- Come out
- Removes, as clothing
- Price of a thought
- Queried
- "Eleanor —," Beatles' hit in 1966
- Side
- First variable star to be discovered
- Consultants like Keynes: Abbr.
- Dernier —
- Layer



arts & entertainment



Tom Petty and the Heartbreakers — plus a special guest as yet unannounced — will be appearing in Mem Aud on Saturday, at 8 p.m.

jazz/ited gioia

Berkeley's jazz festival: generally exceptional

For those who were able to withstand the scorching temperature, Sunday's Jazz Festival at Berkeley featured several outstanding performances.

The surprise of the afternoon was the fantastic set by Eddie Jefferson, Richie Cole and the George Cable trio. Cole's playing on alto, deeply rooted in the styles of masters such as Phil Woods, Lee Konitz and Charlie Parker, was first-rate in every sense; his playing on standards such as "Cherokee" and "I Can't Get Started" clearly show that Cole possesses the two necessary strengths for great improvising: excellent technique and abundance of ideas.

Stellar

Cole was joined by Eddie Jefferson for the concluding chorus of "Cherokee;" Jefferson

followed with stellar renditions of "So What," "Parker's Mood," "Lady Be Good" and "I'm in the Mood for Love."

On the latter song Jefferson sang, in a high falsetto, the bridge of the song which was written for a female accompanist. Returning to the main theme Jefferson kept his voice under more control than usual (the squeaks and sudden turns have become integral parts of his style).

Peterson

Following Jefferson was Oscar Peterson who played what was, for him, an unusually long set. Peterson played quite a few songs from the latest Pablo Montreux collection, including "People," "Tenderly" and "Perdido," the latter song taken at a slow almost dirge-like tempo.

Peterson is a very consistent performer and his music swung despite the oppressive afternoon heat. Peterson was joined by drummer Louie Bellson and bassist Ray Brown, both of whom are masters on their respective instruments.

Herbie Hancock and his all-star trio followed Peterson and played an introspective but disjointed set. In recent months Hancock's work on acoustic piano has been generally exceptional. His playing at the recent benefit for KJAZ showed Hancock to be in fine form. Things did not cohere so well at the Berkeley date. Augmenting the problem was poor sound amplification which made Ron Carter's bass sound over-bearing and heavy-handed.

The trio snapped out of their

lethargy for the encore, which was a stirring rendition of "Maiden Voyage." Throughout the concert Hancock was able to create moments of interest but was largely incapable of producing a well-developed solo over the long run.

However

The concert was opened by Night Flyte which was followed by the *enfant terrible* of Jazz-Rock, Noel Pointer. The festival would have been considerably improved had both these artists stayed home. Pointer is technically fluent but lacks inspiration. Perhaps this is partially due to the second-rate musicians he plays with. The only merit of "Night Flyte" was their lead singer who could do adequate hand-stands between vocals.

theater/karen caesar

ACT and 'The National Health'

God help you if you're ever sick in England.

After witnessing the "National Health" system secondhand, courtesy playwright Peter Nichols and the American Conservatory Theatre (ACT), I can say with a minimum of certainty that I would rather pay to die in an antiseptic American hospital than subject myself to the humiliations and dehumanizing treatments that prevail in some of the larger British hospitals free of charge.

"The National Health" is a merciless satire of Britain's awesome system of free "cradle to grave" health care, begun in 1948 with good intentions that have apparently been forgotten over the years. From the moment the curtain is lifted to reveal six ancient cots occupied by six deteriorating old people with numbers above their heads, the viewer gets the message. Though the business here may be life and death, business is business.

Very black

This is humor of the blackest kind: cries from the patients of "please don't do that" and "get your bloody hands off me" are interspersed with wry comments from the hospital staff ("cheer up, you're still alive"). Doctors parade through the ward but never stop; overworked interns look at the patients for four seconds and hand out diagnoses, then collapse on top of them; nurses with funny accents hug their clipboards and demand to know of the patients if they have had a bowel movement.

Life for the bedridden is an endless series of therapies: electrotherapy, physiotherapy, occupational therapy; the patients are told when to sleep, when to eat, when to smoke, when to urinate; they are ogled and cajoled and brutally manhandled. It's all so horrible, it's funny.



Photo courtesy American Conservatory Theatre.

Alcoholic Bruce Williams meets lonely ex-schoolmaster Sydney Walker in the ACT production of Peter Nichols' "The National Health."

Why is it funny? Because even though it is all a bit exaggerated, it is based on truth, and if we took it seriously, we would become very depressed indeed. So we laugh instead.

No lecture

Rather than lecture his audience about the evils of socialized medicine or the ineptitude of the British medical bureaucracy, Nichols has chosen to give us an intimate, inside look at an established institution of healing. What goes on is appalling, irrelevant and yes, very, very funny.

James R. Winker is the ghoulish master of ceremonies. He plays a slimy, vaguely sadistic orderly who addresses the audience directly and grabs a microphone whenever it's time for the soap opera, which he narrates.

Complete with organ accompaniment, the soap opera scenes are episodes from the lives of the hospital staff. Shown on stage for our viewing pleasure, as well as for the patients', these scenes, which include a pre-kidney transplant tango, are among the most amusing in the play.

Somewhere in the middle of the second act, though, the play runs out of gas. Supposedly "meaningful" silences turn to dead air and a few tedious types are given a chance to stand on their soapboxes and pontificate. It's too bad, because it had such a promising beginning.

Too much, too long

Instead of becoming clearer and more forceful, the message gets confused because the play tries to say too many things. It deals with death, sickness, interracial marriage, alcoholism, old people, young people; it goes on way too long and yet is somehow incomplete. "Why didn't this end an hour ago?" I asked myself upon leaving the theater. I would also like to ask Mr. Nichols.

ACT put on a beautiful production. The set truly brought the term "hospital green" to life; even things that weren't green seemed green, including some of the more decrepit patients. The acting was virtually flawless, particularly that of Sydney Walker as a patient who is not allowed to die. When someone says to him "good life is precious," Walker retorts with "good death is too, if you can get it."

There are a few more performances of "The National Health" before ACT starts its summer season. Despite its floundering finish, it is still good theater, a black comedy with a greenish tinge that makes one laugh and think at the same time.

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Bay Area Events

Classical Music

Campus
Thursday, June 1
Music Department Musicales: Stephanie Sirgo, violin; Jenny Gordon, cello; Debbie Gon-Gui, piano. Performing Beethoven's "Piano Trio in C minor" and "Violin Sonata." 12:15 p.m. Tresidder Lounge.

Friday, June 2
Stanford Symphony Orchestra. Walter Ducloix conducting Mozart's "Symphony in G minor, K.550," Dvorak's "Scherzo Capriccioso," Schuman's "New England Triptych," and Mussorgski-Ravel's "Pictures at an Exhibition." 8 p.m. Dinkelspiel Auditorium.

Saturday, June 3
Stanford Wind Ensemble. Arthur Barnes directing Griffes' "Poem," and "The White Peacock," Holst's "Second Suite for Military Band," Spohr's "Notturno for Turkish Band," and Vivaldi's "Concerto for Two Trumpets." 8 p.m. Dinkelspiel Auditorium.

Sunday, June 4
Sandra Togashi, violin and Aileen James, piano. Performing works by Dvorak and Tartini. Eunsook Chang, piano. Performing works by Mendelssohn and Beethoven. 8 p.m. Tresidder Lounge.

Palo Alto Chamber Orchestra. William Whitson, conducting Beethoven's "Egmont Overture," Mozart's "Symphony No. 38 'The Prague,'" and Beethoven's "Piano Concerto No. 3 in C minor." 8 p.m. Spangenberg Auditorium, 780 Arastradero, P.A. 329-2623.

Monday, June 5
Stanford Symphony Orchestra. A concert featuring doctoral candidates in conducting and student soloists. 8 p.m. Dinkelspiel Auditorium.

Tuesday, June 6
Robert Hyman, baritone, with Barbara Allen, piano. Performing works by Handel, Mozart, Brahms, Faure, and Vaughan Williams. 8 p.m. Dinkelspiel Auditorium.

Wednesday, June 7
Mary Setrakian, soprano, with Ellen Limecher, piano. Performing works by Handel, Schumann, and Menotti. 8 p.m. Dinkelspiel Auditorium.

Bay Area

Thursday, June 1
D'Oyly Carte Opera Company. Performing Gilbert & Sullivan's "The Mikado." 8 p.m. Curran Theatre, S.F. 223-7565.

Opera Piccola. Performing Giovanni Battista Perolesi's "The Music Master." (Il Maestro di Musica). 8:30 p.m. Gill Theater at Campion Hall, University of San Francisco. 474-2470.

Madrigal Singers. Performing works by Hindemith and Brahms. 8 p.m. Foothill College Theatre.

De Anza College Symphonic Band, Lynbrook High School Wind Ensemble and the Monta Vista High School Symphonic Band. 7:30 p.m. Flint Center, De Anza College, Cupertino.

Friday, June 2
Phil Vargas and Jeff Campbell, guitar. Performing works by Villa-Lobos, Torroba, Tarrega and others. 8 p.m. Foothill College Appreciation Hall.

De Anza College Chorale. "Spring Spectacular VIII: Get Happy!" Features music of the '20s, '30s and '40s. 8 p.m. Flint Center, De Anza College, Cupertino.

Miriam Abramowitz, mezzo-soprano, with David Del Tredici, piano. Performing Del Tredici's "Fantasy Pieces

and Soliloquy," Hele's "Etudes," Del Tredici's "Four Songs to Texts of James Joyce," Mousorgsky's "Songs and Dances of Death," and Mahler's "Five Songs." 8 p.m. Hertz Hall, UC-Berkeley. 642-9988.

D'Oyly Carte Opera Company. See Thursday, June 1. 8 p.m. Curran Theatre.

Saturday, June 3
California Bach Society. Performing Arthur Honegger's "Le Roi David" and Gabriel Faure's "The Requiem." 8 p.m. Trinity United Methodist Church, Dana and Durant, Berkeley.

D'Oyly Carte Opera. See Thursday, June 1. 2:30 and 8 p.m. Curran Theatre.

Opera Piccola. See Thursday, June 1. 8:30 p.m. Gill Theater.

Sunday, June 4
El Camino Youth Symphony. Arthur Barnes directing Smetana's Overture to "The Bartered Bride," Haydn's "Sinfonia Concertante in B-Flat Major, Op. 84," and Dvorak's "Symphony No. 5 in E Minor, 'From the New World.'" 3 p.m. Spangenberg Auditorium, P.A.

San Francisco Chamber Orchestra, with Paul Hersh, piano. Edgar Braun conducting Respighi's "Ancient Airs and Dances, Suite No. 2," Beethoven's "Symphony No. 2," and Debussy's "Petite Suite." Hersh will perform Mozart's "Concerto No. 26 in D Major." 8 p.m. Foothill College Theatre.

John Fenstermaker, organ. Performing Mendelssohn's "Sonata in C," Bach's "Tocatta, Adagio and Fugue in C," Mathias' "Tocatta Giocosa," and Franck's "Piece Heroique." 5 p.m. Grace Cathedral, S.F. 776-6611.

University Symphony, Collegium Musicum, and University Chorus. Performing Hector Berlioz's "L'Enfance du Christ." 8 p.m. Hertz Hall, UC-Berkeley. 642-9988.

D'Oyly Carte Opera. See Thursday, June 1. 2:30 and 7 p.m. Curran Theatre.

Monday, June 5
University Symphony. See Sunday, June 4. 8 p.m. Hertz Hall.

Tuesday, June 6
D'Oyly Carte Opera Company. Performing Gilbert & Sullivan's "The Pirates of Penzance." 8 p.m. Curran Theatre, S.F. 223-7565.

Wednesday, June 6
D'Oyly Carte Opera. See Tuesday, June 6. 8 p.m. Curran Theatre.

Rufus & Chaka Kahn. Friday thru Saturday, June 2 to 3 at 7:30 and 11 p.m. Also, Sunday, June 4, at 6 and 9:30 p.m. Circle Star Theatre, 1717 Industrial Rd., San Carlos. 368-3841.

Al Di Meola and Renaissance. Thursday, June 1 at 8 p.m. Berkeley Community Theatre. 835-3849.

Elvis Costello, Mink De Vito, and Nick Lowe. Tuesday, June 6 at 8 p.m. San Jose Center for the Performing Arts. Also Wednesday, June 7 at 8 p.m. Winterland, S.F. 835-3849.

Clubs

Keystone (Palo Alto). Thursday, June 1, The Moonlighters; Friday thru Saturday, June 2 to 3, McGuinn, Clark and Hillman. 280 California Ave., P.A. 324-1402.

Chuck's Cellar. Thursday, June 1, Back in the Saddle; Friday thru Saturday, June 2 to 3, Joe Cannon; Monday, June 5, John and Suzanne; Tuesday, June 6, Bob and Jenny; Wednesday, June 7, Chanter. 4926 El Camino, Los Altos. 964-1402.

Christo's. Thursday thru Sunday, June 1 to 4, Red Norvo, featuring Benny Barth, Eddie Duran, & Dean Riley. 445 Powell St., S.F. 982-7321.

Keystone (Berkeley). Thursday, June 1, Rocky Sullivan; Friday, June 2, Ridd; Saturday, June 3, The Moonlighters. 2119 University Ave., Berkeley. 841-9903.

The Boarding House. Thursday thru Saturday, June 1 to 3, John Stewart and Bob Gibson; Sunday thru Monday, June 3 to 4, Roger McGuinn, Chris Hillman, and Gene Clark; Tuesday thru Wednesday, June 6 to 7, Kelly Montath. 960 Bush St., S.F. 441-4333.

The Old Waldorf. Thursday, June 1, John Miles; Friday thru Saturday, June 2 to 3, Terry Garthwaite & Linda Tillery; Monday, June 5, Seawind; Tuesday thru Wednesday, June 6 to 7, Warren Zevon. 444 Battery St., S.F. 761-3884.

The Great American Music Hall. Thursday, June 1, Stephen Grossman & John Renbourn; Friday, June 2, Tom Paxton; Saturday thru Sunday, June 3 to 4, Dizzy Gillespie; Monday, June 5, Townes Van Zandt & His Band and John Lee Hooker & His Coast to Coast Blues Band. 859 O'Farrell St., S.F. 885-0750.

The Palms. Thursday, June 1, Will Porter & Band; Friday thru Saturday, June 2 to 3, Buena Vista; Sunday, June 4, Mark Naf-talin; Monday, June 5, Island; Tuesday, June 6, Robert Cray Blues Band; Wednesday, June 7, The Bandaloons. 1406 Poik St., S.F. 673-7771.

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Coffee House Gallery. Oils and Acrylics by C. Michael Fitch. Paintings by Chantal Declive.

Bechtel International Center. Work of Jim McGuinness.

Stanford University Museum of Art. "Whistler: Themes and Variations." Included are small oil paintings, pastels, watercolors, pen and pencil studies, etchings and lithographs by the American painter. Thursday at 12:15 p.m. and Saturday at 2 p.m. 497-3469.

Bay Area

San Francisco Museum of Modern Art. Closing June 4: "Jennifer Bartlett: Rhap-sody." A large scale grid of 988 cold rolled steel plates one foot square, each colorfully painted. Continuing: "Photographs from the Permanent Collection." A historical survey consisting of 275 photographs. "Margery Mann: Photographs." 70 works dating from 1954 until the artist's death in 1977. "Wayne Thiebaud: Recent Work." Oil paintings, graphite drawings, and monotypes, all created within the last year and consisting of city scenes. "Ellen Land-Weber." An exhibition of photographic and 3M color work. "Aesthetics of

Graffiti." A multi-media exhibition composed of photo documentation of "natural" graffiti found in the streets, coupled with work by artists who are directly influenced by graffiti. Van Ness and McAllister Streets, S.F. 863-8800. Tuesday thru Friday, 10 a.m. to 10 p.m., Saturday thru Sunday, 10 a.m. to 5 p.m.

Oakland Museum. "American Illustration, 1800 to Present." More than 175 engravings, lithographs, paintings and sketches. "Record Album Art." An exhibition of works in a variety of media that were generated for album covers. 1000 Oak Street, Oakland. 273-3005. Tuesday thru Thursday, 10 a.m. to 5 p.m., Friday, 10 a.m. to 10 p.m., Saturday, 10 a.m. to 5 p.m., and Sunday, 10 a.m. to 6 p.m.

Works. Opening June 6: "Sue Topikar and Pat Vecchione: A Matter of Latex and Lawn." Topikar casts a variety of forms in latex such as chairs, ladders, and windows. Vecchione does three dimensional sculpture in live grass. 248 Auzerais Ave., San Jose. Tuesday thru Saturday, 12 to 4 p.m. 297-5740.

Young Gallery. Graphite drawings by Aland David Potts. Bronze sculpture by Larry Eckland. 100 Park Center Plaza, Suite 117 Mall, San Jose. Monday thru Friday, 10 a.m. to 5 p.m.

Foothill College Planetarium. An exhibition by Marcia Schor of 50 paintings in the medium of enamel on copper, plus mural-type paintings and sculpture, which tell the story of the space missions. Los Altos Hills. 948-8590.

Twin Pines Manor Gallery. "California Art: 1860-1915." 1219 Ralston Ave., Belmont. Monday thru Saturday, 9 a.m. to 5 p.m. and Sunday, 2 to 5 p.m.

Syntax Gallery. Opens June 5: "The Nikon Image." A collection of contemporary photographic art from 17 different photographers. 3401 Hillview Ave., P.A. Monday thru Friday, 10 a.m. to 4 p.m. and Saturday, 1 to 4 p.m. 855-5525.

Gallery House. Opening June 4: "A Figurative Show." Serigraphy by Willa; Sculpture by Warner; Etching by Mac-Diamid. 538 Ramona St., P.A. 326-1668.

Triton Museum of Art. Opens June 4: "Visual Energy." "Norma Auer Adams: Contemporary Watercolors." 1505 Warburton Ave., Santa Clara. Tuesday thru Friday, 12 to 4 p.m. Saturday thru Sunday, 12 to 5 p.m. 248-4585.

Gallery of Fabric Arts. Fabric Paintings by Susan Springer. "Susan White: Old Totems - New Technology." 417 Fourteenth St., S.F. Daily, 2 to 5 p.m.

Theatre

Campus

Scenes from Shakespeare. Presented by the Graduate Directing Workshop. Friday, June 2 at 8 p.m. and Sunday, June 4 at 2 p.m. Both performances in the Little Theatre.

Bay Area

Mary, Mary. A comedy by Jean Kerr, presented by the Menlo Players Guild. Friday thru Saturday, June 2 to 3 at 8:30 p.m. Burgess Theatre, Menlo Park Civic Center. 322-3261.

Ashes. A drama that portrays both the absurd humor and the painful reality of a couple's thwarted attempts at parenthood. Presented by the Berkeley Stage Co. Thursday thru Sunday, June 1 to 4 at 8 p.m. 1111 Addison St., Berkeley. 548-4728.

Breath of Spring. A comedy by Peter Coke. Friday thru Saturday, June 2 to 3 at 8:30 p.m. Hillbarn Theatre, Foster City. 349-6411.

Joe Egg. A compassionate, but witty look at family life with a handicapped child. Thursday thru Saturday, June 1 to 3 at 8 p.m. Also, Sunday, June 4 at 3 p.m. The San Francisco Actors Ensemble. 2940

16th St., S.F. 621-2505.

You Should've Been There (A Play About Work). Thursday thru Friday, June 1 to 2 and If Everyone Had a Baby, Saturday thru Sunday, June 3 to 4. Both productions presented by the Moving Men Theatre Co. at 8:30 p.m. Fort Mason, Laguna & Marina Blvd., Bldg. 310, S.F. 421-7333, ext. 18.

Tonight We Improvise. A comedy/drama about the backstage and onstage shenanigans of a troupe of Italian actors fighting a dictatorial director. Thursday thru Saturday, June 1 to 3 at 8 p.m. Zellerbach Playhouse, UC-Berkeley. 642-9988.

For Colored Girls Who Have Considered Suicide/When The Rainbow is Enuf. Written by Ntozake Shange and performed by the Black Actors' Workshop of the American Conservatory Theatre. Thursday thru Friday, June 1 to 2 at 8 p.m. Foothill College Theatre. 948-8590, ext. 206.

I Do! I Do! A musical based on the play "The Fourposter," by Jan de Hartog. Thursday thru Friday, June 1 to 2 at 8:30 p.m. Saturday, June 3 at 7 and 10 p.m., Sunday, June 4 at 2:30 and 7:30 p.m. and Tuesday thru Wednesday, June 6 to 7 at 8:30 p.m. Chi Chi Theatre Club, 440 Broadway, S.F. 392-6213.

Famous Scenes and Monologues By Famous Playwrights. Directed by Maria E. Lambert. Friday thru Saturday, June 2 to 3 at 8 p.m. Flexible Theater, Canada College, Redwood City.

A Midsummer Night's Dream. Shakespeare's play which presents a world that sprinkles both joy and sorrow on its lovers and concluding in "... what fools these mortals be!" Wednesday, June 7 at 8 p.m. The Julian Theatre, Potrero Hill Neighborhood House, 953 De Haro St., S.F.

The Sound of Music. A musical by Rodgers and Hammerstein. Presented by the Peninsula Light Opera. Thursday thru Saturday, June 1 to 3 at 8 p.m. Sequoia Fox Theatre, Redwood City.

Tongues. A theatre piece produced thru the collaboration of actor/director Joseph Chaikin and playwright-in-Residence Sam Shepard, based on "Conversations to do with the role of the voice." Wednesday, June 7 at 8 p.m. Building 314, Fort Mason, S.F. 885-9928.

The National Health. A satire of Britain's socialized health care program. Thursday, June 1 at 8:30 p.m. and Wednesday, June 7 at 2:30 p.m. ACT Theatre, Geary St., S.F. 673-6440.

Hotel Paradiso. A French farce with a blend of razor sharp wit, comic characters, mistaken identities, improbable cover stories, disguises, pranks, and a classic chase scene. Friday, June 2, Sunday, June 4, and Tuesday, June 6 at 8:30 p.m. Also, Saturday, June 3 and Wednesday, June 7 at 2:30 p.m. ACT Theatre, Geary St., S.F. 673-6440.

Aburd Person Singular. A look at life in British suburbia where adultery rates only a yawn but "ring-around-the-collar is a sin!" Saturday, June 3 at 8:30 p.m. and Sunday, June 4 at 2:30 p.m. ACT Theatre, Geary St., S.F. 673-6440.

Film

Campus

Thursday, June 1
The Bad Sleep Well. Sponsored by the History Department. 7:15 p.m. Meyer Forum Room.

Friday, June 2
The Devil in Miss Jones. Rated X. 8:45 and 10 p.m. Memorial Auditorium.

Xala. By Ousmane Sembene, Senegalese film maker. In Wolf, with English subtitles. 7:30 p.m. Meyer Forum Room.

Sunday, June 4
Bobby Deerfield. Starring Al Pacino.

Also, the short, 1977 Stanford Football Highlights. 7 and 9:45 p.m. Memorial Auditorium.

Wednesday, June 7

Cesar. The third film in the Pagnol trilogy. 7:30 p.m. Bishop Auditorium.

Bay Area

The Lacemaker. A tale of love lost. Thursday, June 1 at 7:30 p.m. The New Varsity. 456 University, P.A. 321-1246.

Sandakan 8 (Brothel 8). An elderly Japanese woman's recollections of her youthful years as a prostitute. 7:30 p.m. Women in the Dunes. The story of a man held captive with a woman at the bottom of existence and the meaning of freedom. 9:30 p.m. Friday thru Tuesday, June 2 to 6. The New Varsity. 456 University, P.A. 321-1246.

Outrageous! A look at madness, friendship and love. 9:30 p.m. Murrur of the Heart. A comedy-drama about a boy passing through adolescence and of his relationship with his mother. 7:30 p.m. Wednesday, June 7. The New Varsity. 456 University, P.A. 321-1246.

Third Annual Student Film Festival. Friday, June 2 at 7 and 8 p.m. Forum A-11, De Anza College, Cupertino.

3 Women. Set in a desert town, the film shows how the lives of the three women strangely intertwine as each searches for her own identity. Crises and Whispers. A film about three sisters and their devoted housekeeper. Stars Liv Ullman. Saturday, June 3 at 8 p.m. Foothill College Theatre.

Dance

The Joffrey Ballet. Thursday, June 1: Performing Debussy's "Brouillards," "Pas de Deux," Pugn's "La Vivandiere," and Ralph & Holdridge's "Trinity." 8:30 p.m. Friday, June 2: Performing Saint Saens' "Suite Saint-Saens," Haydn's "As Time Goes By," "Pas de Deux," and Bennett's "Jazz Calendar." at 8:30 p.m. Saturday, June 3: Performing Haydn's "As Time Goes By," Poulence's "New Araz Ballet," Pugn's "La Vivandiere," and Copland's "Rodeo." at 2:30 p.m. Performing Saint-Saens' "Suite Saint-Saens," Debussy's "Brouillards," "Trinity," at 8:30 p.m. Sunday, June 4: Performing Meyerbeer's "Les Patineurs," Satie's "Monotones I & II," "Pas de Deux," and Bennett's "Jazz Calendar." at 2:30 p.m. Performing Saint Saens' "Suite Saint-Saens," Satie's "Parade," "Pas de Deux," and Ralph & Holdridge's "Trinity," at 8:30 p.m. Monday, June 5: Performing Debussy's "Brouillards," Poulenc's "New Araz Ballet," Pugn's "La Vivandiere," and Ralph & Holdridge's "Trinity." at 8:30 p.m. Tuesday thru Wednesday, June 6 to 7: Performing Prokofiev's "Romeo and Juliet." 8:30 p.m. All performances in War Memorial Opera House, S.F. 431-5400.

Irini Nadel. Performing "Invoice," "Rose Pie Ice," and "Julian." Friday thru Saturday, June 2 to 3 at 8 p.m. The Performance Space, 1350 Walter, S.F. 548-6116.

African Music and Dance Ensemble. A cast of 80 musicians and dancers in Traditional Music and Dances of West and Central Africa. Special guests are The Festival De Samba, directed by Jose Lorenzo, Fua Dia Congo, Congolese Dance Company, and Kwaku Ladzekpo, Professor of African Music. 8 p.m. Zellerbach Auditorium, UC-Berkeley. 642-9988.

Chrysalis Company. Featuring performers ranging in age from 12 to 19. Performing Norbert Wezak's "I Will Bow," Jody White's "May Encounter," Sharon Jean Leeds' "Study For Three," excerpts from Michel Fokine's "Les Sylphides," Sir Frederick Ashton's "Les Patineurs," and "Le Corsaire." Saturday thru Sunday, June 3 to 4 at 8:30 p.m. San Francisco Dance Theater, 1412 Van Ness Ave., S.F. 673-8101.

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a.p. summary

Consumers battered by price hike

Washington — Consumers were battered by a 2.4 per cent monthly increase in grocery prices in April and a 0.9 per cent hike in overall prices, the worst in more than a year, the government said yesterday.

The price of beef was up by a record 6.6 per cent during the month, surpassing the previous monthly high of 6.5 per cent in May 1975.

The rise in consumer beef prices is restoring profitability to the cattle industry, but it comes after four years of economic hardship, cattlemen say.

The increase prompted administration inflation-fighter Robert Strauss to call for consumers to shop for cheaper cuts of beef. He said beef prices have gone up "too far and too fast" despite years of depressed cattle prices.

He said the administration may allow increased imports of foreign beef to help counter the rise.

The April consumer price index confirmed the gloomy predictions of Carter administration economists that inflation in the economy is worsening, although they still expect relief later in the year.

missiles and upgrading the U.S. capability to speed entire U.S. armored divisions across the Atlantic in event of a crisis.

Anti-gay initiative qualifies for ballot

Sacramento — The initiative to let school districts fire teachers for homosexuality has qualified for the November ballot, Secretary of State March Fong Eu announced yesterday.

The initiative, promoted by state Sen. John Briggs (R-Fullerton), received more than enough signatures to qualify, the announcement said.

Its qualification brought immediate reaction from a Quaker-sponsored group that said if enacted, it "would put California back into the dark ages."

If passed by the voters Nov. 7 and not declared unconstitutional, the initiative would let school districts fire, or refuse to hire, teachers, teachers' aides, administrators or counselors for "advocating, soliciting, imposing, encouraging or promoting private or public sexual acts . . . between persons of the same sex in a manner likely to come to the attention of other employees or students."

Dow Jones climbs 6.41

New York — The stock market chalked up a solid gain yesterday, apparently shrugging off the latest consumer-price statistics as old news.

The Dow Jones average of 30 industrials climbed 6.41 to 840.61 on top of a 2.51-point gain Tuesday. Trading was moderately active.

Today's Weather

Fog or low clouds spreading inland night and morning through tomorrow but clearing to near the coast during the afternoons. Cooler. Lows in upper 40s to mid-50s. Highs in upper 50s along coast to near 80 inland.

NATO leaders end summit talks

Washington — NATO leaders ended two days of summit talks yesterday by agreeing to increase military spending by as much as \$100 billion over the next decade to counter Soviet military power in Europe.

In agreeing to the proposal to raise their planned military spending by at least \$40 billion through the 1980s, the NATO leaders accepted President Jimmy Carter's plea for more military might in Europe.

Carter, in a closing statement to the allied leaders, promised that the United States would view any attack on Europe as an attack against the United States and that retaliation would include the use of nuclear weapons against the Soviets.

Under the program approved by NATO leaders yesterday, allied governments committed themselves to increasing production of tanks, anti-tank weapons and

ISC chooses new officers

By Ann Lincoln

There were no landslide election victories on campus yesterday — at least not as far as the Inter Sorority Council (ISC) elections were concerned.

Tammy Ritchey of Alpha Phi was elected as next year's ISC president. But two revotes were needed before she finally defeated opponent Tina Barker. Barker, of Chi Omega, was later unanimously elected as vice president in charge of activities.

Representatives from all six sororities were present for the elections.

"I'm excited," Ritchey said after her victory. "I guess the big thing is that I really want sororities to have a good name on campus. Next year is going to be our chance to show the school we're here and that we can be different."

Barker said she looks forward to a year of sorority cooperation and ISC activities that will benefit the whole university.

Other ISC officers elected were Heidi Jacobsen of Kappa Kappa



Tammy Ritchey

Gamma as rush director and Sally Scandalios of Kappa Alpha Theta as secretary treasurer. Jacobsen, now at the Stanford Vienna campus, was unanimously elected, but the votes had to be counted three times before Scandalios was named the winner in her

race.

Plans for next year were also discussed at the meeting. Tentative activities include a tailgate party and helping with women's week activities in fall quarter, a formal during winter quarter, rush and a street dance for spring quarter and sherry hours and guest lecturers throughout the school year. Holding a Greek week or weekend in connection with the street dance was discussed, but most of the delegates thought that some Stanford students might be opposed to that idea.

Hadden said a committee has been appointed to look into the possibility of an ISC lodge.

Campus groups receive University recognition if they have residential status (campus housing or offices) or do not have a selective membership. Because sorority membership is selective, a campus lodge, a form of residential status, could be a big step toward official University recognition, according to Barker.

Lyman expresses 'disappointment'

(Continued from front page)

tract Attorney Louis Bergna, one of the defendants.

Stephen Newton, the attorney who represented the four Palo Alto police officers as individuals said "we're very happy — it's been a long case. It's a very proper result for the police officers themselves."

"It was an unfair lower court ruling which penalized them for obeying a court order," explained Newton, referring to the search warrant.

Palo Alto City Attorney Robert Booth commented, "We've felt all along that our procedures were constitutional. The warrant is a useful and a necessary tool of law enforcement."

The decision was called "disappointing" by President Richard Lyman. "What is particularly troublesome is that abuses are most likely to take place when the target is a

small, independent, perhaps even politically or socially dissident newspaper, radio or TV station," he said.

Former Daily staffers who were plaintiffs expressed concern and disappointment over the ruling.

Ed Kohn, former Daily managing editor, said, "I'm disappointed of course by what the court did, but I'm not surprised and I wouldn't be surprised if because of this, several newspapers and TV stations announced policies of routine non-retention of notebooks, film, and other reporters' work product. This decision will hurt the reading public the most."

"And this decision could be the end to the relationships people have with lawyers, doctors and priests. Most importantly, one of the foundations of this country has been that it is a nation of laws, not of

men — and yet the court now wants even more discretion placed in the hands of judges," added Kohn.

Steven Ungar, a former Daily photographer, said last night, "I'm concerned because part of the First Amendment has been abrogated. I'm not concerned as much about losing as about how we lost — the implications are not for us, but for others. What will happen with the next Pentagon Papers case? Who will dare to print them knowing that they can be searched as soon as someone finds out they have the documents?"

J. Barton Phelps, a Santa Clara County Superior Court judge who issued the warrant, declined to comment on the court's decision, as did federal District Judge Robert Peckham, who wrote the initial lower court ruling which the court reversed yesterday.

Decision reversed

(Continued from front page)

the lower court decision, but I recognize that it was an imaginative and difficult decision to maintain.

"Establishing this new immunity for the press was an uphill fight," he said. "The recent performance of the Court hasn't given too much encouragement to recognizing special privileges for the press."

The Daily case attracted widespread attention after arriving at the Supreme Court. Associations representing nearly all United States newspapers and broadcasters sided with the Daily.

The Carter administration's Justice Department sided with the police, as did California Attorney General Evelle Younger.

Briefly

Committee corrections

The latest appointee to the Committee on Investment Responsibility (CIR) is not Susan Weinstein, as was erroneously stated in yesterday's Daily. Weinstein was appointed to the Trustee Committee on Investments; the senate actually approved the appointment of Kayla Templin to the CIR.

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