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Res Gestae

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October 19, 1973

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# RES GESTAE

UNIVERSITY OF MICHIGAN

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## PLEA

(Editor's note: The extraordinary nature of this letter compels its appearance on RG's front page instead of at the usual place.)

To the Editor:

I would rather face the guns of a dozen Stress officers, then a small gathering of students. The reason, of course, is I would know what the Cops would do.

Most of my life has been spent stealing or working. Once, I even did both, the latter for the obvious reason, to cover the income of the former.

I will not trouble you with my life story; its not very interesting in any event. However, I will tell you that, because the law, by unfair treatment put me where I am today--in Prison.

Here, frothing at the jaws with pent up anger, I decided that, if I must serve a wrongful sentence, because of a quirk in the law I'd better start to understand that law. If it can happen once, it can happen again.

I began by filing motions for other inmates, and against the prison authority. Then, I began filing appeal briefs--and, to my surprise, some few of those have been granted reversal, and resentencing.

You might think I'd get a big head from this--but it didn't work that way. In filing those that failed, I began to see it was not the fault of the case, but my lack of knowledge and ability.

This letter, I suppose, should be directed to first year students. The reason is, I would like to study "after" them.

(see PLEA page 2)



SIC TRANSIT GLORIA MUNDA

# SIS!

sees all



Overheard in one of the placement interview rooms (with a Detroit firm) around September 27th:

"Yes, we have had women in our firm - but she just left..."

Better find out what firm it is, women. They obviously need a new token.

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## Placement News

**TEACHING** - third year people and graduate students who are interested in teaching in law schools should see Barbara Robels today to register with the A.A.L.S. - they provide a placement service.

**OVERSEAS OPPORTUNITY** - a representative from the firm of De Bandt, Van Gerven & Lagae, Brussels, Belgium, will hold a group meeting for second and third year people interested in working for their firm. The meeting will be at 3:15 in room 218. Please come by the Placement Office earlier in the day and read his letter. (This is for today)

**SIGN-UPS** - please remember that you can only have someone sign-up for you if you have a class or must be at work. If you will be having someone else sign-up for you, you must report that fact to our office before the sign-up period. A student may not sign-up for more than one other person.

**INTERVIEW SCHEDULES** - if you want to cancel an interview or change your time, or get off the stand-by list - please do so before noon of the day before the interview.

**JOBS** - if you have accepted a job - please let us know. We are interested in where you are going, how you got the job, and the salary. This information us in advising students in the future. We will not reveal individual salaries, only ranges for specific cities.

(PLEA cont'd from page 1)

What would be the idea is, some law student would sort of adopt me, and as he/she completed a month's work, send me what was required for that period. Or whatever a period was. I do not want the answers, only questions--and if it turns out answers I give are wrong, correction.

I will pay what I can, as I can. Since I do not work, the money I get comes from friends, relations, and Parke Davis/Upjohn tests, which I apply for as often as possible.

If one of you would, and could help, please write, and perhaps we can come to some agreement.

My case is presently sitting in the Michigan Supreme Court, awaiting (hopefully) Leave to Appeal. If denied, I am assured by the attorney, he will pursue it into Federal District Court on Habeas Corpus. If all fails, I'll be here, at the minimum, for the rest of a ten year minimum of 4 years and nine months.

Just may be, one of us will be able to do something to better the system by forcing the courts to stay within the boundries of existing laws.

If nothing comes of this request, I do want you all to know, we prisoners, are still in debt for all the past help given by U of M Law students. Bless you one and all.....

Joseph Charles Merritt  
104378--PO Box E  
Jackson

P.S. Please use the prison number or the letter will be returned. And say a prayer for fair minded Judges at the 6th Circuit level. The MERRITT V. JOHNSON, mail case will be argued there soon by the very good, Cory Y. S. Park, Esquire.



# Essay

Last Friday afternoon I went to a lecture at Rackham Auditorium by the son of the Twentieth Century Hungarian composer, Bela Bartok, who is best known for his Mikrokosmos, a series of studies which despite reports to the contrary have never been authoritatively linked to the attempted suicides of any young piano students. Bela Bartok, Jr., a retired civil engineer, is beginning a tour of the U.S. with a fellow Hungarian musician and protege of the late composer, speaking to the musical communities of places like Ann Arbor about the hitherto unrevealed home, family and general non-professional life of his father. In case you didn't realize it, that's a polite phrase for gossip. The audience must have realized it--presumably that's why they showed up. But what was completely unknown beforehand is that the younger Bartok will be reading to the musical communities of places like Ann Arbor an eleven minute long English text apparently with a mouth full of goulash, which considering the nature of the language is an entirely forgivable result. Although I've lived with enough foreign students during my school career to fill an embassy, my practiced ear could identify some derivative of my native tongue in only a little over half of Mr. Bartok's utterances. Nonetheless, this state of affairs did not prevent his attentive listeners from tittering periodically when they thought they heard something cute about the elder Bartok.

This piece, however, is really only remotely concerned with harmless, unintelligible lectures on the eccentricities of Bela Bartok by his son. Rather, it was an experience that got me to thinking about what this piece is concerned with--the unseemly practice of making money through speaking and writing gossip about famous people or notorious events by those more or less connected with them, and what contemporary public infatuation with such enterprises may mean for the quality of justice we produce in the coming years. I'm particularly referring to the recent attempt, eventually scotched, by convicted Watergate scandal participants Jeb Stuart Magruder and James McCord to barnstorm the

the country prior to their sentencing with talks on, of all things, the need to clean up government; but the Clifford Irving "book about the book," and the latest flurry of lurid Eleanor-Franklin Roosevelt revelations are examples of the same phenomenon. In any case, I gagged when I heard about the idea.

The incredible but logical extension of all this now would be for deposed Vice President Agnew to make a new career out of categorically denying before housefuls of his fanatical admirers--at three bucks a head--that he ever accepted the bribes he effectively though not technically pleaded guilty to omitting from his federal income tax return. And perhaps as a fillip, he could also lecture on the need for an end to back-stabbing in high places.

To rational minds, a stunt like that seems inconceivable. But given all the otherwise inconceivable events that have been revealed in just the past four or five months, a nagging doubt remains. Will outrages, as long as they're big enough, continue to transcend mere court jurisdiction and disapproval so that they take on an independent ethic of their own in which notoriety bestows authority no matter what its foundation? Sure we can look around at the hulks of ostensibly ruined careers which today are strewn about the national landscape and say those who illicitly led them got their just deserts. Yet I can't help noticing, too, all the hucksters industriously building podiums and best-sellers out of the hulks. I'm probably old fashioned, but those people scare me.

-M. Slaughter



### RESHUFFLE AT NYU

The New York University Commentator of September 6, 1973 reports that the law school there has revised its first year writing and advocacy program called the Introductory Seminar. "According to Professor Julius J. Marke, Law Librarian and Chairman of the Special Committee on Legal Education for First Year Students, this year's experimental program features a series of graduated exercises in case law and statutory analysis to replace the old program in which the students were required to write office and court memoranda in the first few weeks of school. During the first four weeks, students will write analyses of judicial opinions in an effort to define the cases' legal import, and then attempt to apply the ascertained principles to new fact patterns. During the fifth week, they will write office memoranda on a new set of hypothetical facts; and in the sixth week, mock trial memoranda will challenge their analytical sophistication." This first term of the Introductory Seminar will end before Thanksgiving.

In January, "the second semester moot court round will be conducted much the same way as in the past: the second and third year students on the Moot Court Board will be responsible for formulating problems, reviewing briefs and arguments, making critical comments and assessing the value of the first year students work. But from now on, according to Marke, 'instructors will work closely with students, attend all arguments with their students, independently determine the effectiveness of their briefs and arguments, and their professionalism; then they will work closely with the Moot Court Board in determining the weight to be given towards the final grade." With the addition of five new instructors to the faculty members that have taught the Seminar in the past, there will be only 27-28 students per section and thus more student access to the instructors.

- mgs

# NOTICES

### INTERNATIONAL LAW SOCIETY

On Monday, October 22nd, Frank Willis of the State Department's Legal Office will speak on "Imperialism Bows to the Third World: the Case of International Shipping." All are invited to the 6:45 pm speech in the Lawyers Club lounge. Dinner is at 5:45 pm with sign-up Friday through Monday on the ILS door.

### CO-REC VOLLEYBALL

Each semester, the IM Dept. conducts competition in Co-Rec Volleyball (3 women and 3 men per team). If you would be interested in playing on such a team this semester, or would like more information about it, please contact Wally Strong, at 971-6047, or sign the list near the Law School bulletin board. Please hurry, as teams must be entered by next Monday, 22 October. All law students, male and female, are welcome.. Prior competitive volleyball experience is helpful, but not necessary.

### MORE FIRST YEAR COMPETITION

The Bottom Half is on top!(sez manager Lu Anutta):

Section 4's Co-Rec I-M Softball team finished the season undefeated with its victory Sunday in the final play-off game with the Bold Ones(a/k/a Section 1). The 9-5 win made the Bottom Half the undisputed champions of their division.

### OFFICE OF STUDENT SERVICES TO OFFER GROUP FOR LAW STUDENTS

The Focus program of the Office of Counseling Services will be running a group for law students this fall. It will concentrate on issues of personal and interpersonal growth in the Law School community. First year students are especially encouraged to attend. The group will meet Mondays from 3:30-5:30 p.m. in the Union. It will be run by David Yarian and Jim Dinerstein, and will begin October 22. Anyone interested should call 764-9466 from 9-5 or 971-9133 evenings for further information.

# NEWS FROM OTHER SCHOOLS

## CONTRACTS TEXT REVIEWED

The Columbia University Law School News of September 17, 1973 reports its Professor George Cooper is using a new text this year - a Shazam comic book.

"Cooper asked his first year contracts section to analyze a comic book story involving a freak show, midgets, a tribe of trolls and a monster cat. It makes an interesting case - here's the brief:

Facts - Barney's Freak Show wants to replace it lost midgets. Barney remembers that Captain Marvel, Jr. has discovered a lost tribe of trolls, so he kidnaps two of them for his menagerie. Under the eyes of a monster cat, the abducted trolls are forced to sign a dollar-a-month contract with Barney. One of the free trolls retains Captain Marvel, Jr. to rescue his friends from the horrors of a life of wage-hour violations.

Issue - Can the trolls escape the contract?

Holding - You bet. Might makes right.

Reasons for Decision - Inadaquate consideration? Duress? Nope. Just rip up the contract says the Captain.

Some students resented the extra expense. The comic book costs 75¢; the case book about \$17. Cooper decided to buy the unwanted Shazams back from the disgruntled students."

## NIXON & COMPANY SUED

The Gavel of Cleveland State University Law School on October 11, 1973 reported that the National Lawyers Guild, including its local chapter, is in the process of "writing and organizing a lawsuit aimed at giving the people a medium from which to attack the policies of Nixon, et. al., which effectively denied the people of the United States the right to vote."

"Basically, the suit is based on the theory that the American people did not have a free choice in the 1972 elections thus denying their constitutional right. The suit charges that Nixon, Agnew, Dean, Erlichman, Halheman, etc. deprived us of this constitutional right by their burglaries, wiretapping, and other illegal campaign dirty tricks and the misuse of government agencies (FBI, CIA, IRS, Dept. of Justice). This deprivation of our government of free and honest elections "damaged" the American people, and because there is no adequate remedy at law, the case is being filed in equity, asking for the only adequate relief - the setting aside of the 1972 elections."

For those addicted to losing causes, an NLG coupon for intervening in and contributing to the effort is reprinted below.

**PEOPLE'S LAWSUIT TO SET ASIDE THE 1972 ELECTION**

**Authorization of Legal Counsel.**

I want to be a plaintiff

I hereby authorize the Committee to Set Aside the 1972 Election to act on my behalf by doing all things necessary or desirable to carry through this suit including retaining attorneys and receiving any and all notices. This authorization is valid only in connection with this suit. I understand the Committee will reimburse all expenses and will not require me to make any reimbursement.

Signature of Plaintiff \_\_\_\_\_

I will help organize support for the lawsuit.

Enclosed is a contribution to help defray legal expenses.

NAME (please print) \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

RETURN TO: Committee to Set Aside the 1972 Election  
c/o National Lawyers Guild  
21 Cornelia Street, New York, N.Y. 10014  
Telephone: (212) 255-8028

(see NEWS page 4)



Every week, no one shows any faith in the Lions (for some strange reason). How about it this week, folks? Baltimore is having a terrible year, and the game is in Detroit - and I'll even call it an even game. C'mon, let those Lions know you're with them!

On the college scene, we have some real battles this week, as Michigan, Ohio State and Notre Dame are all involved in tough games.

Our last winner (on only 12 correct out of 19) was Craig Gehring. There were a lot of low scores, but the Turk hit midseason form with his spreads, calling three on the nose and getting within one point on three more.

College

Pro

Ohio State at Indiana(24)

Atlanta at San Diego(3)

Illinois(3) at Michigan St

Baltimore at Detroit

Minnesota(2) at Iowa

Buffalo(13) at Miami

Wisconsin(17) at Michigan

Green Bay(2) at Los Angeles

Northwestern(9) at Purdue

Kansas City(6) at Cincinnati

Notre Dame at Army(27)

New England(9) at Chicago

Air Force at Navy(10)

Giants(15) at Dallas

Houston(12) at Miami

Pittsburgh at Jets(12)

Pitt at Boston College

St. Louis(6) at Washington

Oregon(21) at Southern Cal.

Oakland at Denver(1)

Tie-breaker: Michigan's attempted passes vs. Wisconsin \_\_\_\_\_

