

# The case against drinking

A man came into The Daily Collegian office yesterday, pushing a case of beer in front of him. He asked to speak with the editor and he sat on the case. This is what he said:

"I'm with...I'm lobbying against lowering the drinking age to 19. I'm against it and I want to tell you why."

"Right now a 19-year-old can get married, sign contracts, vote, pay taxes, sell insurance, operate a steam boiler. The way I feel is if you can operate a steam boiler, why do you want to drink."

"Oops, mind if I lean against your desk. I just came from checking to see if any 19-year-olds were violating the law downtown. I'm not going back there, that's for sure. They gave me ice cubes. I didn't ask for ice cubes."

"You see, the average 19-year-old cannot handle his liquor, you understand. And do you know the reason why the average kid cannot handle his liquor? Because he hasn't been drinking."

"I've gotten so I can tell the difference between a 20 and a 21-year-old. It's in the face. Don't tell me. You're--step into the light--you're 20 and six months. Also, I'll guess your weight. If I don't get it in three tries, you get the stuffed bear."

"Don't mean to say I'm totally --whee!--negative. There are a couple of sensible bills. One would allow persons 19-years-old to purchase alcoholic beverages and would keep the 21-year-old limit for consuming alcoholic beverages. The other would allow

19-year-olds to consume alcoholic beverages instead of purchasing them. Support is growing for both bills.

"Oh, I'm sorry. I didn't mean to spill that. I'm sorry. Did you need those papers? They're blurred. But those other papers are blurred, and they're not even wet. I'm sorry."

"Let me be totally honest with you. I want to be completely sincere. I think people your age call it being up-front. Okay. The reason I don't want to lower the drinking age is because of the energy crisis. Don't ask me to explain that."

"Well, I'd better leave now. I don't feel well. But I want to say this is the first newspaper office I've been in with two editors. You're both all right. You're all right."



James J. Kilpatrick

## Judges vs. newsmen

On Oct. 15, the U.S. Supreme Court entered a laconic order: "Case No. 72-1511, Dickinson v. U.S. The petition for a writ of certiorari is denied. Mr. Justice Douglas would grant certiorari."

Few persons paid much attention to the order. It came at a wild time in the news, coinciding with the Agnew resignation, the Ford nomination and a losing round for the President in the case of the Watergate tapes. Yet the Supreme Court's refusal to review the sentences imposed in Louisiana upon Larry Dickinson and Gibbs Adams will rank among the most significant and most ominous events of this term. The effect is to give new and powerful meaning to the concept of "judicial supremacy," and simultaneously to jeopardize the people's right to know what goes on in their courts.

Let me try to give both sides. The case arose two years ago this month in Baton Rouge, where a black civil rights activist, Frank Stewart, had been arrested on a charge of conspiracy to murder the mayor. Stewart denied the charge absolutely and contended that he was the victim of trumped up accusations by the state. After various legal maneuvers, the case wound up before U.S. District Judge E. Gordon West for a hearing limited to the single question of whether Stewart's indictment was contrived or legitimate.

As the hearing began, Judge West made a stunning announcement: "It is ordered that no, no report of the testimony taken in this case today shall be made in any newspaper or by radio or television, or by any other news media."

That breath-taking edict, amounting to absolute censorship of the press, was intended to protect the defendant from the possibility that pre-trial publicity might jeopardize the selection of a jury later on. Judge West was doing his duty as he saw it, and there is no reason to challenge the sincerity of his intentions.

Dickinson and Adams, reporters for the Morning Advocate and State Times, had a duty of their own. They could not possibly submit to any such gag upon a free press. They therefore wrote accurate, straightforward accounts of the

hearing. Judge West promptly found them guilty of criminal contempt and fined each of them \$300. The effect of the Supreme Court's order of Oct. 15 was to uphold Judge West.

There is no question that Judge West's gag order was in flagrant violation of the Constitution. This was the ruling of the 5th U.S. Circuit in August, 1972, when the case came up on appeal. In an opinion by Chief Judge John R. Brown, the Circuit Court held that West's blanket ban on publication of court proceedings "so far transgresses First Amendment freedoms that any such absolute proscription cannot withstand the mildest breeze emanating from the Constitution."

It was readily apparent, said the Circuit Court, that "no decision, opinion, report or other authoritative proposal has ever sanctioned by holding, hint, dictum, recommendation or otherwise any judicial prohibition of the right of the press to publish accurately reports of proceedings which transpire in open court." Judge West's order was "constitutionally unacceptable, and hence illegal."

But having said all that, the Circuit Court nevertheless ruled that the order had to be obeyed. The two reporters should have sought immediate judicial review of the order. The publication of news "can be enjoined." Newsmen are citizens too, said the Circuit Court, and they must suffer the consequences of flagrant, intentional disregard of the mandates of a court.

Where does this leave us? The hearing before Judge West, having to do with alleged misconduct of public officials, was of compelling public interest. The people had a right to know of the testimony, and the people had a right to know of it then, not days or weeks or months later, after the process of judicial review had run its course.

If judges can issue flagrantly unlawful orders gagging a free press, and then impose fines or jail sentences for their violation, judges become tyrants. By refusing even to review the case, eight of the nine justices of the Supreme Court now have condoned both censorship and tyranny. This is not law; this is despotism. Those of us who live by the news will have to combat it as best we can.

## the Collegian

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The Board is composed of three undergraduate students, one graduate student, three faculty members, two professional members, the editor and the business manager. The paper's adviser also serves as executive secretary to the Board, a non-voting position.

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The Board can be contacted through Curtis Reeve, executive secretary, at 865-2531, or at the Collegian office, 126 Carnegie.

THE OLD SKEEL (AND ALL THE OTHER OIL COMPANIES) GAME



## Meanwhile back at the hen house

By David Kaszycki  
of the Collegian Staff

Nittany residents are well aware of the chickens the University owns. They are heard every day by 6:30 a.m. On hot days the foul odor of the chickens can be smelled hundreds of feet from the coops.

The chickens between the swimming pool and Nittany halls are only a small part of the University flocks. The University owns about 12,000 chickens and they can be found in five other buildings on the farm.

There are seven different research programs now going on with chickens. The programs include work in genetics, nutrition and food products.

A little known research program involves Doctor Henry S. Sturbolz of the linguistics department. The professor has been working for the last 39 years trying to communicate with chickens and he reports that he has succeeded.

Sturbolz said he has learned the language of chickens, Cockadoo. He said the language is very much like the language of the turkeys, Creshles.

"Chickens are much more intelligent creatures than people think," Sturbolz said. He added that he thought the chicken is probably the most misunderstood creature on earth, beside the aardvark.

Sturbolz said he has long been a champion of chickens rights.

"Let's face it, chickens have been exploited and misrepresented for centuries," the professor said. He pointed to the story of Chicken Little as proof of the misrepresentation of chickens in literature, declaring, "Chickens are almost never taken seriously in those tales."

Sturbolz reported a high level of anxiety present in the chicken population. He credited this to the presidential campaign of 1928 when Hoover promised a chicken in every pot.

"My chickens have a general feeling that the humans are out to get them," Sturbolz said.

According to Sturbolz, chickens are devising new ways to foil the work of humans. He said he has known

chickens who have defecated profusely when being handled. Other chickens have refused to copulate, exploding the popular myth that chickens are oversexed.

Presently, Sturbolz said, the most important problem of the chickens is poor housing.

"The University is allowing less than three square feet per chicken," Sturbolz declared. "How unfair can you get?"

Another problem confronting the chickens is poor diet. Sturbolz said some chickens are being fed high protein diets while others are fed high calcium diets.

"These kind of controls are totally uncalled for," the professor said. He added that all the chickens really want is some country corn.

Sturbolz is taking positive action to ease the plight of chickens. He said he is calling for a boycott against any products made in Kentucky. He also is planning a "Support the Chickens" rally to be held in front of the poultry plant Dec. 22, 1973.



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