



The scholar with the grandest thought, the merchant with the finest words, the metal-smith with the strongest hand—none were as wise or eloquent or brave as the poor man

who saved a kingdom from a King's rash plan. "The King's Fountain" is written by Newbery winner Lloyd Alexander, illustrated by Ezra Jack Keats (Dutton, \$5.95).

## Don Quixote In The Courtroom

**READY FOR THE DEFENSE**  
By **Martin Garbus**, 306 pages. Farrar, Straus and Giroux. \$7.95.

"Ready for the Defense" is a fascinating narrative of one lawyer's efforts "to prune some decayed wood from the tree of law . . . and to strip from it some cancerous vines that would smother it . . . and to defend it from some who would sever a healthy limb to make room to swing a cat."

Actual courtroom testimony is translated into graphic dialogue:

"(Deputy Sheriff) Miller yelled, 'Henrietta, come here with your hands up.'

" 'I didn't do anything. I'm not going to jail.'

" 'You walked away from me. That's resisting arrest and that's a felony.'

"Mrs. Wright continued on into the restaurant."

Anyone familiar with the

deep South of the Civil Rights heydays of the 1960's reading that passage feels the prickle along the spine of anticipated violence . . . immediate, brutal, obscene. Henrietta Wright was a black civil rights activist in **Mississippi** in 1965 and had just been told that she was under arrest for passing a stop sign. Here anticipation of violence in jail was more than fulfilled, and "The State of **Mississippi** for the Use and Benefit of Henrietta Wright against Wages, et al." describes the consequences of police lawlessness in Mississippi.

The poignant, predictable outcome only serves to illustrate more graphically the free lawyer's true function in the practice of law on behalf of his fellowman. Cervantes might have written the narrative, for the selfless service of the attorney is often much like the dedicated, demented genius of Don Quixote.

"The People Against Lenny Bruce" and "The People Against Timothy Leary" are, perhaps, less likely to evoke the sympathy of the reader for the author's point of view. Both pieces are ironically well-named in typically blunt case captions, for both describe the use of the law to destroy a citizen whose views and methods of communicating them were antithetical to the peace and myopic tranquillity of certain powerful but hysterical segments of the society in which these victims of the law chose to operate. Don Quixote tilted at the windmills of the law and his clients were unhorsed.

### The Law Of Murder

Laymen seem to be as fascinated with murderer as rabbits are said to be with snakes. Students of the law also find the law of murder to be of particular interest because it seems to have been written by Lewis Carroll in between stints at "Alice in Wonderland" or "Through the Looking Glass."

For example, in most states an accidental killing which occurs during the course of a felony (say, a theft of property worth \$100 or more) is murder in the first degree, a capital offense, although the defendant did not intend to kill anyone and attempted to minimize the risk of physical harm.

But the theory of those who wrote this law is that the death penalty is a deterrent to those who intend to kill: "Why then apply it to a man who did not intend to kill?" Alice asked. "Off with their heads!," cried the Queen of Hearts. And so "The People of New York against Manfredo Correa" sent him off to death row.

Another illustration of the anomaly of the death penalty is that of "The People Against Frederick Charles Wood." The defendant's career as a multiple murderer began when he was 15 years old and injected arsenic into cream puffs which he sent with fatal effect

to a 16-year-old girl who had rejected him. Several murders and 18 years later his bloody career culminated in the assassination of two old men and the dismemberment of their bodies with broken glass.

It was terminated when he successfully defeated the efforts of all of a succession of attorneys to establish as a matter of law that he was insane. The State of New York granted his often expressed desire to "ride the lightning" when it electrocuted him on March 21, 1963. So let that be a lesson to all who wish self-destruction by execution.

### She Won, But . . .

There is one sweet and sour victory in the collection. When a penniless black woman with four children was cut from the welfare rolls because a male friend came to call, she sued the State of Alabama. Can you imagine a penniless black woman on/off welfare suing the State of Alabama?

She won, too, with a little help from the United States Supreme Court . . . and her lawyer. But the sweet of victory was tied with sour thread, for it was won against an opponent whose "argument" demonstrated the stubborn, blind stupidity of prejudice to the point where the Chief Justice of the Supreme Court slammed a book onto his bench in frustrated anger.

Three weeks after the Court's decision, the successful plaintiff was still off the welfare rolls, had no money at all . . . not even enough for food stamps . . . and had not been told by her caseworker of the availability of emergency aid. When informed of the distress of the woman and her children, the caseworker's response was, "Mr. **Garbus**, they always manage."

One of the persistent evils in this country is the unthinking tendency of many people to approach problems in terms of "us" (our group) and "them" (those who are different in any noticeable way). When we stop working in terms of "us" and "them," we may begin to progress in alleviating "our" problems. "Ready for the Defense" should help us to do so; it is fascinating reading.

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