supreme Court to Test
New York City Charter

BY JACK MONET

The legality of Section 903 of the New York City Charter, under which the employees of the College were dismissed, will be considered by the United States Supreme Court during the week of November 1955.

Section 903, in effect since 1942, provides for automatic dismissal of employees who refuse to answer questions relating to his official conduct on the ground that these questions tend to incriminate him.

The constitutionality of the Section is being challenged by the New York Civil Liberties Union in connection with the case of Professor Harry Schlooser of the College, who was dismissed from his position for refusing to tell a Senate subcommittee that he had been a Communist in 1940 or 1941.

In February 1962, Richard H. Austin and Hyman Gold were denied their positions in the registrar's office of Uptown City College by President Buell G. Gallagher because of their use of the Fifth Amendment as grounds for refusing to answer questions of the Senate Internal Security Subcommittee.

Professor Schlooser's reinstatement is being urged in a friend-of-the-court brief by the Union which argues that the Fifth Amendment privilege against self-incrimination in the United States Constitution might be used by the "guiltless" and should be extended "in its full stature" to guard freedom and nonconformity.

The Civil Liberties statement added:

"A person's refusal may be motivated in part by the fear that any information he gives will be used in aid of a prosecution against him though he is in fact guiltless or that he will be subjected to unjustified perjury charges on the basis of evidence given by him in accordance with the Committee's understanding that he would be truthful and recognize membership, or that he will be forced to give information damaging to others though he believes them innocent."

Proposal to Change SFCSA
Rovokes Diverse Comments

Student Council President Gloria Kingsley's proposal that the present Faculty Committee on Student Affairs (SFCSA) become an appeals body provoked diverse comments under the present set-up, SA should act as an appeals body, rather than a legislative body. The proposal would make Council a decision-making body with legislative power would be controlled by the Student Government, a member of SFCSA, Professors, and Student Affairs. The present system should be changed, because in my opinion it has worked reasonably well in the past.

To make SFCSA an appeals body, Professor Fless's idea, would have the effect of pushing the faculty out of direct contact with student affairs after the students had tried for many years to get the faculty interested in student affairs.

Another member of the committee, David Pfeifer, Classe of 36 President, said he would favor the SFCSA becoming an appeals body, but believes students should be careful not to take on more responsibility than they can handle. (Continued on Page Four)

Finley Center Fete Will Be Given May 9

BY MIKE SPIELMAN

A festive dedication ceremony, Charter Day proceedings, and Charter Day proceedings, and Charter Day which followed "the hurricane zealot has passed over us, that we are presently in the calm eye of the storm, and that the University can be renewed with equal violence from another quarter." He pointed out the savagery. "A person's refusal may be motivated in part by the fear that any information he gives will be used in aid of a prosecution against him though he is in fact guiltless or that he will be subjected to unjustified perjury charges on the basis of evidence given by him in accordance with the Committee's understanding that he would be truthful and recognize membership, or that he will be forced to give information damaging to others though he believes them innocent."
Dave Weinstein

The death last week of Dave Weinstein at the age of 24 was a shock to those who remembered him as editor-in-chief of Observation Post just a few short years ago.

Dave was a fine student, who graduated from the College two years ago. He realized that there is more to college life than just classes.

The "War and Peace" supplement, which appeared in this newspaper during his semester as editor-in-chief remains an important achievement of the College's history. This supplement, which analyzed the most important question then facing the College's students, was largely the product of Dave's fertile imagination.

He was stricken shortly after passing his bar examination. He was planning to run for the state legislature. We deeply regret that his untimely death prevented him from reaching his goal. His dynamic presence would have contributed so much to our state as it did to the College.

The Right to Teach

If a professor teaches well and honestly he fulfills all his professional obligations. Somehow, that simple truth has been lost in the clamor from all sides for a teacher's political purity. It is obvious that views privately held need not be presented as law in the classroom. 

Our professors and their political beliefs are wholly irrelevant to the business at hand: Is he a good teacher?

Because we present the increasing encroachment into the private beliefs of our professors, and of professors all over the country, we applaud the action of the Civil Liberties Union in testing the validity of New York City's "Section 903" before the United States Supreme Court. Under 903, a city employee may be fired for refusing to answer questions before a legislative body on the grounds that he might tend to be incriminated.

The specific case on hand is that of a Brooklyn College professor named Robert T. Wimmer, who was dismissed under 903 two years ago.

"Why should city employees be denied the rights granted to United States citizens by the Constitution?" Why, specifically, should professors be pressured by the threat of their private lives and opinions? Membership lists for the students: and investigations for the professors are fine ways to make sure that the student body has no more than classroom lessons, with mechanical answers for dehydrated questions.

Section 903 has long been one of the more infamous areas of the City Charter. It is clearly contrary to a professor's spirit of the much-maligned, but indispensable, Fifth Amendment. We hope that the enduring Amendment will triumph over the petty political considerations of the moment.
**OBSERVATION POST**

Wednesday, October 5, 1955.

**Sparkplug**

**CHI LAMBDA PLEDGE TEA**

**OCT. 11**

Larry Cutler, '54, former second baseman for the College's baseball team, this season, led the Dubuque, Iowa Packers to its first Mississippi-Ohio-Valley League pennant since 1929. Cutler batted .316 and fielded .932.

When he first joined the club it was languished in the cellar with a 3-15 record. Arriving at the ball park a half hour before game time, Cutler donned a uniform and took over the shortstop position. The Packers won that night and didn’t stop until fifteen games later. He was later shifted to second base, and according to his manager, Ira Hutchinson, "titled a big hole in the infield and kept up the club."

**Classified Ads**

**FOR SALE**

Melrose typewriter; 3-speed $50; Model DD, $50. Ask for Mr. Sherwood, 4-6 P.M.

**WHY SMOKERS CHOOSE VICEROY**

Many of the world's finest people have made Viceroy their choice. Why do more college men and women smoke Viceroy than any other filter cigarette?

Because only Viceroy gives you 20,000 filter traps in every filter tip, made from a pure natural substance found in delicious fruits and other edibles!

1. Yes, only Viceroy has this filter composed of 20,000 tiny filter traps. You cannot obtain the same filtering action in any other cigarette.

2. The Viceroy filter wasn’t just whipped up and rushed to market to meet the new skyrocketing demand for filtered cigarettes. Viceroy pioneered. Started research more than 20 years ago to create the pure and perfect filter.

3. Smokers en masse report that filtered Viceroy have a finer flavor even than cigarettes without filters. Rich, satisfying, yet pleasantly mild.

4. Viceroy draws so easily that you wouldn’t know, without looking, that it even had a filter tip... and Viceroy costs only a penny or two more than cigarettes without filters!

That’s why more college men and women smoke Viceroy than any other filter cigarette... that’s why VICEROY is the largest-selling filter cigarette in the world!

**20,000 Tiny Filter Traps... plus that Real Tobacco Taste**

**Why do more college men and women smoke VICEROYS than any other filter cigarette?**
Beavers Blast Pratt Institute, 6-0, in First Defense of Met Soccer League Championship

By MARV GLASSBERG

They were locked out of their dressing room, the assigned ref didn't arrive until the start of the second half, and the field was a sea of mud, but nothing could stop the Beaver boisterous swarming Pratt, 6-0, Saturday at Lewisohn Stadium in their first Met League Contest.

The affair was marked test at first, but withdrew and when the game turned into rout.

The fireworks started at 9:40 of the initial frame. City, defending Met soccer titlists, barely missed a score when Johnny Koutsantanou shook up the Ringway goalie, Stan Sludikoff with a fierce foot. Seconds later Koutsantanou received a pass from Morris Hocherman and blazed the ball into the net for the first of his three tallies of the afternoon. The third bringing his record for the most goals scored by a Beaver player to twenty-seven.

A smash off the toe of Wiltgang Wostl from near the midfield stripe was nullified as a goal when the Tech mentor claimed that the whistle had not blown on a foul committed on the preceding play.

Barley a minute had elapsed in the second period when City scored again. Vahe Jordan dribbled down the left side and passed to Hocherman in front of the goal. Hocherman drove the defense onto him and then quickly passed to Koutsantanou, who smashed the ball past the bewildered goalie. Jordan assisted again at 13:37 when he passed high to Kouts, who tallied on a head shot to register the third Beaver goal.

Last year, the Met champs played their worst in the third stanza, and it appeared that this would be a repeat performance. Pratt was unsetting the Beaver

Morrise Hocherman
Helper

Gallagher... (Continued from Page One)
and justice would ultimately prevail.
He also defended what he called "basic" to all other freedoms, intellectual freedom. "To secure and protect intellectual freedom," he said, "we must do more than pass resolutions and listen to speeches. We must take the sharp blow of controversy and thrust deeply into the hard core of the American mind, which has for too long basked in the pleasant sun of indifference." He declared that "Our nation was born in controversy" and "will die when controversy is throttled."

No Black Jack

But the President defined "limits within which controversy must be contained." The free market of ideas must be protected, he said, from the man who enters "with a black jack up his sleeve." "Both the native Fascist and the native Communitarian must be exposed for what they are and be permitted to take the public consequences of their subversive efforts," he said.

While reiterating his opposition to letting Communists teach, President Gallagher said that "We should not forbid the Communists and the Fascist and the Racists to speak their minds and write their books. If Democracy cannot win the fight for the freedom of men's minds against all the devoils of totalitarianism, then Democracy will lose. But it would lose the fight in advance, if it resorted to the tools of suppression and censorship and thereby become totalitarian."

"Closed Mind"

He continued, however, that "just as surely as we stand for the open book, we fight against the closed mind." The President contended that since "members of the Communist conspiracy" have closed minds, they violate "one of the basic prerequisites for a teacher." Let his books and speech circulate freely," he continued, "let him come and go as he may wish, but it is unnecessary to hire him and pay him to teach that error from the protected sanctuary of the classroom."

President Gallagher concluded that "If we are constantly on guard against freedom's enemies in Blue or Red, in schools, colleges, churches and libraries, the land will keep their doors open freely."