

Legal Aid Unit Retains Arnold In Antitrust Suit

By Paul Valentine
Washington Post Staff Writer

Antitrust lawyer Thurman Arnold has been retained by Washington's Legal Aid Society to defend it in a case here testing its legality.

Three Washington attorneys sued the Society and the local arm of the anti-poverty campaign for "siphoning off legal business." The suit alleges that the agencies' offering of free legal aid violates antitrust laws.

Both the Legal Aid Society and the United Planning Organization offer free legal assistance to poor defendants.

Proliferation of such agencies throughout the country has set off a howl among some lawyers that their daily business is being snatched away.

New public defender organizations, legal aid groups and neighborhood projects have now penetrated not only the familiar halls of criminal justice but also the lesser known recesses of domestic courts and tribunals for landlord and tenant squabbles.

Independent neighborhood attorneys, operating on a small-volume business, say the process is ruining them.

In many misdemeanor courts, attorneys summarily are appointed to defend persons without investigation of the defendants' indigence. The

appointed attorney can subsequently extract a fee if the client is able to pay.

In recent years, however, the lists of attorneys available for appointment have become crowded with members of legal aid organizations who charge nothing. The presiding judge may at his discretion appoint either a legal aid attorney or an independent attorney to a case.

In the process, the independent lawyers say they are losing ground because the aid organizations have a more liberal concept of poverty. A client classified as indigent by an aid organization might yield anything from a dollar to \$25 to an independent lawyer, they say.

The three lawyers here contend the organizations apply standards of indigence that are "non-competitive" with those of private practitioners. Under antitrust procedures, the lawyers must attempt to prove the organizations are in an active conspiracy to drive the lawyers out of business and to make a profit for themselves.

The suit resembles the classic antitrust action years ago against the A&P food store chain, which was charged with underselling local competitors until it drove them out of business and then raised its prices to normal. A&P lost.

In the Washington lawyers' case, two separate legal aid organizations are under attack.

One is the United Planning Organization. It underwrites a system of Neighborhood Legal Services Projects and is supported by public funds. The other is the Legal Aid Society. It offers free counsel in domestic and civil matters and is supported by private funds.

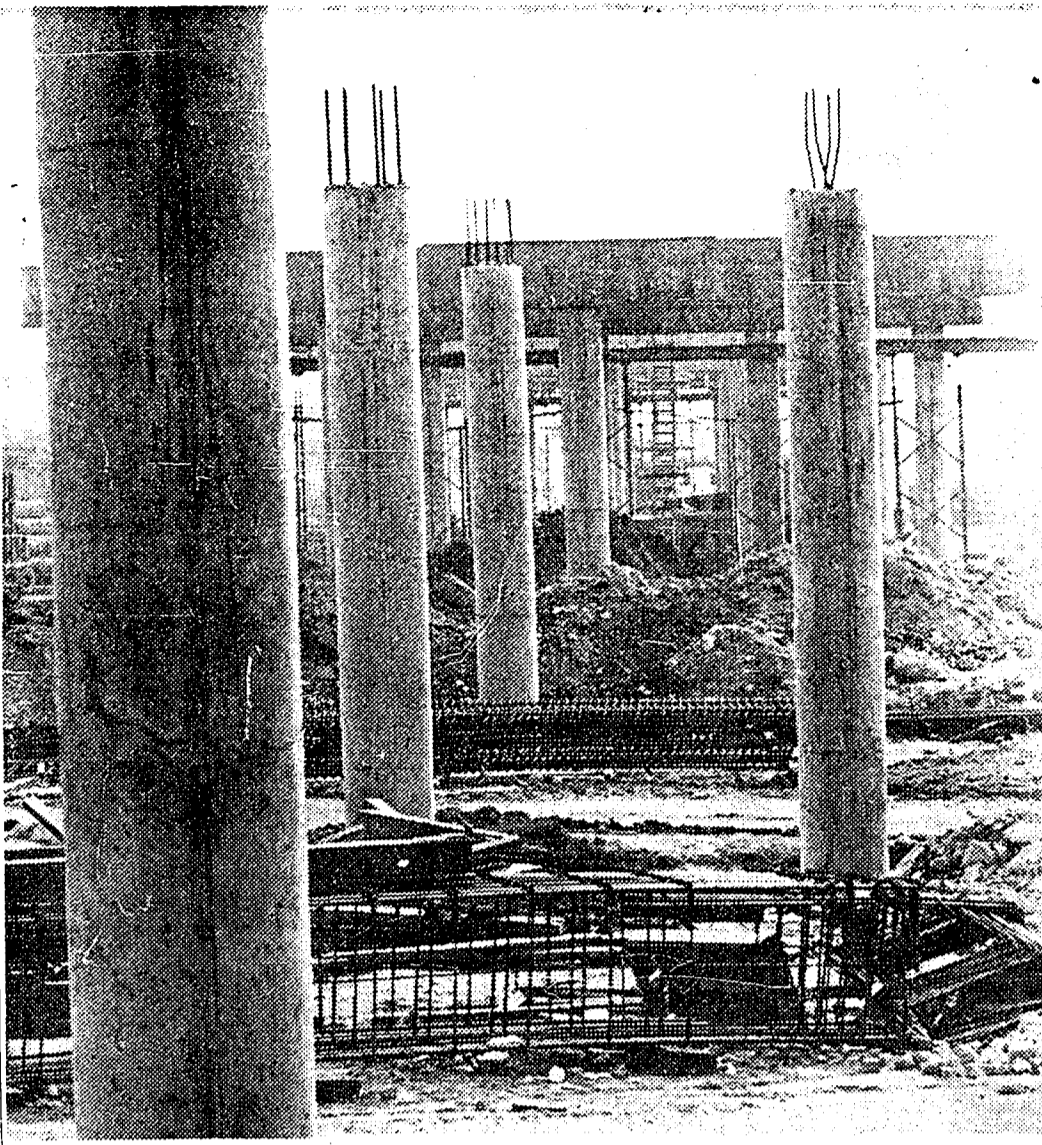
Opponents of legal aid say that government-sponsored programs like UPO's amount to "socialized law," like socialized medicine.

Other observers say, however, that the Tennessee Valley Authority's long court battle with the private power companies in the 1930s established the fact that the Government can compete with private enterprise.

Washington has four major legal assistance groups. The Legal Aid Society is the oldest, with a history dating back to 1932. UPO's Neighborhood Legal Services Projects started only last January. The Legal Aid Agency is a public defender organization started five years ago. A Georgetown Law School intern program under Pretzman Fellowship funds was started six years ago.

No one on either side of the argument disputes that the legal aid groups have taken some business from private attorneys. The question is whether it is legal.

Arnold is a former U.S. Court of Appeals Judge here and sparked the U.S. Attorney General's antitrust division during the 1930s. Edwin H. Soeger is general counsel for UPO.



By Bob Burchette, Staff Photographer

Waiting for the Highway

Concrete pillars are lined up south of U.S. Rte. 1 in Arlington, waiting for the roadbed that will be built atop them to provide another access to Washington National Airport. The \$1.9 million viaduct will begin at Rte. 1—Jefferson Davis highway—and run for three-tenths of a mile into the Airport, crossing George Washington Memorial Parkway en route. Trucks, which are banned from entering the Airport via the parkway, will be able to use the viaduct to get there.

President Plans Third Meeting Here With Bonn's Chancellor

By Carroll Kilpatrick
Washington Post Staff Writer

A third meeting in the United States between President Johnson and West German Chancellor Ludwig Erhard is now being planned in the wake of Erhard's election victory Sunday.

In a telegram congratulating Erhard on his "great victory," the President said yesterday he looked forward "to an early chance to meet with you again."

A White House spokesman said that the meeting between the two leaders would be in the United States and that plans would be worked out soon.

It is believed that the meeting will take place after Congress adjourns and after Erhard holds his first meeting with the new Bundestag toward the end of October.

Explains Purposes

Mr. Johnson said he would like to discuss with Erhard "our great common tasks in working for the peace of Europe, the reunification of Germany and the steady growth of the Atlantic Community."

The "steady growth" of the Atlantic Community, which has been brought to a grinding halt by French policies, is a matter of deep concern both to the Chancellor and to the President.

They discussed the problems first at a meeting at the Johnson ranch in Texas in December, 1963 and again at a Washington meeting in June, 1964.

but Moyers said he heard no discussion of that at the White House meeting.

The President has spent a great deal of time in recent days with his advisers on the India-Pakistan fighting and China's threats against India. But no definite information regarding the President's behind-the-scenes activities has been made public.

Scientists, on the other

Failure to Fill Job of Adviser to Rusk Arouses Concern Among Scientists

By Howard Simons
Washington Post Staff Writer

Secretary of State Dean Rusk has been without a science adviser for more than a year, creating a widening gap between science and modern diplomacy.

There is cause for concern among scientists over the vacancy and it is this:

Science and technology today impinge on virtually every area of foreign affairs from desalting water to space cooperation, from halting the spread of nuclear weapons to helping underdeveloped countries; from East-West trade to the effect of military space activities on America's image.

The absence of a science adviser means, in effect, that Rusk and other State Department officials are without top-notch internal scientific advice and without an effective link to the scientific community familiar with the technical aspects of these pressing matters.

Scientists Reject Job

Administration attempts to fill the State Department post have been spectacularly unsuccessful. At least four eminent scientists with considerable experience in international affairs have been approached and all have refused. They are:

Emanuel Piore, vice president and chief scientist of International Business Machines Corp.; Paul Doty, professor of physical chemistry at Harvard University; Herbert York, former chief scientist at the Pentagon and now professor of physics at the University of California, San Diego; and Franklin Long, former chief scientist at the U.S. Disarmament Agency and now vice president for research and advance studies at Cornell University.

While the Administration's science talent search goes on, Government officials and non-Government scientists accuse each other of bad faith.

Officials question how scientists can view State's recruitment efforts harshly when members of the scientific community refuse to accept the responsibility being offered to them.

Geochemist Brown, who is foreign secretary of the prestigious and non-governmental National Academy of Sciences, said further: "Whoever of these explanations is correct, I consider it a real tragedy that the Department of State is without adequate internal scientific advice."

The office of science adviser at the State Department was established in 1957 shortly after Russia launched Sputnik I and at roughly the same time that President Eisenhower created a science adviser's post in the White House.

In the years since, the Office of International Scientific Affairs, as the post at State has come to be named, has played less of a role in creative policy-making than in serving as a custodian for two dozen attaches abroad and gathering technical information in other nations.

Today, the Office is managed by Herman Pollack, a non-scientist career administrator, who has six professional scientists among his staff for providing science advice to the Secretary of State.

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House Votes \$10,000 Life Insurance For All Servicemen at \$2 a month

The House unanimously passed legislation yesterday to let all servicemen buy \$10,000 group life insurance policies at an estimated cost of \$2 per man per month.

The rollcall vote was 350 to 0.

The bill now goes to the Senate, and probably on to a House-Senate conference committee, as a possible substitute for a Senate-passed bill to grant \$10,000 in free insurance to men killed in combat zones.

Sponsors of the House measure argued that the Senate bill, while protecting GIs killed in auto accidents in Saigon, would provide no benefit for the survivors of those killed in plane crashes or training accidents in the United States.

Under the House bill, coverage would be automatic for all members of the armed forces, wherever situated. Only by requesting exclusion in writing could a serviceman waive the group coverage.

Beneficiaries would be unlimited and policies would be convertible to ordinary insurance without physical examination upon discharge to civilian life. A pool of private insurance firms would handle the coverage, with monthly payments to be deducted by the Government for each serviceman's pay.

The Government would underwrite costs of "extra hazard" deaths such as those at the hands of enemy forces.

The bill was drafted as an answer to complaints that some servicemen losing their lives in South Viet-Nam leave no estates. An existing "survivor benefits" law provides gratuities for service deaths far in excess of \$10,000, but only for persons classed as dependents.

Amendments Threaten To Slow Highway Plan

Associated Press

President Johnson's highway beautification plan hit a detour yesterday, but the author of the bill expressed belief it would speed through the House Public Works Committee today.

The Committee broke up with more amendments still in the hopper and scheduled a closed night meeting so "we'll be over the hump" for today, said Rep. John Kluczynski (D-Ill.).

Later the Committee changed plans and instead of meeting last night set an early session for today.

Metric System Study Is Approved by Senate

United Press International

The Senate approved legislation yesterday to authorize a 3-year study to determine the advantage and disadvantages to switching the United States to the metric system.

The legislation, approved by voice vote, now goes to the House. It would authorize \$500,000 for the first year of study.

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