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NEWS AND COMMENT

Squall in Chesapeake: Marine Institute Rammed by Junk Charge

In an astounding series of legal moves, Virginia officials are prosecuting one of the nation's prominent marine scientists, William J. Hargis, Jr., director of the Virginia Institute of Marine Sciences (VIMS) and chairman of the National Advisory Committee on Oceans and Atmosphere (NACOA). Friends of Hargis say that the charges against him are so flimsy that they must have been brought in retaliation for his warnings about the hazards of the pesticide Kepone in local waters, which have angered state authorities. Hargis will stand trial in Gloucester County Circuit Court in Gloucester, Virginia, on 1 and 7 September.

On 6 July, a county grand jury indicted Hargis on two counts of embezzlement. One charge alleges that in October Hargis "fraudulently" disposed of a diesel engine which belonged to the state by allowing a carpenter, Jim Taylor, employed by VIMS, to take it home.

The second charge alleges that Hargis committed embezzlement when he asked VIMS to rectify its leave records from 1971 onward, so that 130 hours of annual leave and 37 hours of sick leave would be restored to him.

Supporters of Hargis argue that no crime took place on either matter. They say that Taylor, seeking some parts from the engine for his own use, had agreed with Hargis aide John B. Pleasants to donate free labor to VIMS in return. He took the whole engine home, they say, to dismantle it and get the parts he wanted. Besides, they say, supply laws of the state of Virginia allow Hargis, as the state's agent at VIMS, to dispose of

scrap property as he sees fit. VIMS acquired the engine as part of a generator-diesel unit, which it bought for \$177 in 1971; the engine had stood outdoors, rusting, since that time. In March, when police began asking questions about the engine, Taylor returned it, together with all its parts, to VIMS (see photo) and signed an affidavit to that effect.

On the matter of annual leave, supporters of Hargis say that, when he was appointed to NACOA in 1971, he assumed that NACOA business was an outside activity and took annual leave when attending meetings. But in January, the VIMS Board of Administration ruled that Hargis' NACOA business was part of his duties as director of VIMS. Gilbert L. Maton, chairman of the board, wrote in a memo that Hargis "has been



William J. Hargis, Jr.

authorized to adjust his official working schedule so as to participate in the required activities of NACOA." Thus, say his defenders, when Hargis asked for adjustment of his leave records, he was following orders and thus he had no intent of defrauding anybody.

Other scientists who have heard of the Hargis case have been angered by the situation. One, Roscoe Meadows, of Deepsea Ventures, Inc., has helped to organize a defense fund to pay Hargis' legal fees which have been estimated at between \$20,000 to \$40,000—an amount well beyond his total annual income of approximately \$30,000.* Another is William J. Nierenberg, a former Chairman of NACOA and an equally prominent oceans adviser. To Nierenberg, the charges sound as though they might have been politically motivated. "If you want to be political you can really sock a civil servant, even just by making him incur legal fees. Bill [Hargis] is really in a jam," he said.

Some VIMS staffers say that the whole matter may have arisen out of the personal antipathy of J. K. Adams, a state police investigator, toward Hargis, which developed while Adams was investigating another VIMS matter late last year. Adams was assigned to look into charges that another VIMS scientist, John L. Dupuy, was engaged in a conflict of interest situation. Although Adams appeared to have finished the Dupuy investigation in December, VIMS staffers say that he "hung around" for several more months, often interviewing Hargis at length and asking other staffers apparently unrelated questions whose common theme always seemed to be Hargis. "He was always barging in on people and reading them their rights," says one staffer. "He wouldn't let you have witnesses present or tape-record the interview." It appears to have been

*The William J. Hargis Defense Fund, P.O. Box 391, Gloucester Point, Virginia 23062.

Adams—not the prosecutor—who presented the allegations against both Dupuy and Hargis to the grand jury that indicted them on 6 July. Both are on leave without pay, and Hargis has had to step aside as director until the matter is resolved. Adams could not be reached for comment.

While Adams was at VIMS, the Kepone scandal was becoming a major political issue in the southern Chesapeake Bay region, where most of Virginia's population and industry are located and which also relies heavily on fishing and tourism for revenues. When large quantities of Kepone had been found in the James River, VIMS, as the area's leading marine laboratory became a principal source of data on the extent of contamination in the fish and shellfish.

Hargis explains that VIMS maintained a policy of making its findings known to the public. Hence, he would answer reporters' questions about Kepone contamination frankly. Other state officials—including some on Governor Mills E. Godwin's Kepone Task Force—did not like this policy. Hargis and the task force tangled about whether VIMS should release its findings, or whether all statements on Kepone should be screened by the task force first.

Hargis' statements (for example, in January he was quoted as saying the matter was "a serious catastrophe of major proportions") were exceptionally blunt. In the unfolding of the problem, it has been federal, rather than state, officials who have stressed the hazards of Kepone contamination. Godwin has taken some actions; for example, in December he closed the James River to fishing,



Parts of a 1950's vintage diesel engine which Hargis is alleged to have stolen.

but, for the most part, state officials have tried to smooth the crisis over. They may have had a motive for wanting Hargis silenced, but there is no evidence that this was the motive for the prosecution.

The state had planned to attract large numbers of Bicentennial visitors to the historic Williamsburg-Jamestown-Hampton Roads area, but partly because of Kepone, tourism has been half of that anticipated.

In any event, Hargis and VIMS recently have been out of step with most state officials (and previously over the environmental impact of a proposed Portsmouth oil refinery), causing speculation that the indictments were politically motivated. However, Harry Morris, the county prosecutor who is proceeding with the charges, has been quoted as denying any pressure was brought to

bear on him to proceed against Hargis. Morris told *Science* that he believes Adams' investigation was a competent one and that the local press has distorted the matter in Hargis' favor. "Anyone can make himself look innocent," he said. Morris has the option of dropping the charges, of conducting his own investigation, or of proceeding on the basis of Adams' findings. He has chosen the latter course.

Neither Hargis' nor VIMS' reputation seems to have suffered during the tense, pretrial period. Those who know Hargis through his NACOA connection, and who are familiar with his 17-year effort to build up VIMS from an obscure fisheries laboratory into a \$7 million per year national institution, simply refuse to take the allegations seriously. "The whole thing sounds like a waste of everybody's time and money," says Nierenberg. However VIMS staffers say that morale is low. "Hargis is such a pillar of moral rectitude," says one employee. "If they can do this to someone like that, what about the rest of us?"

It may be significant that that other pillar of moral rectitude, Elliot L. Richardson, Secretary of Commerce, has indirectly expressed confidence in Hargis. NACOA advises the President and the Secretary of Commerce on oceans and climate policy. In August, after reviewing the situation, the Commerce Department went ahead and appointed Hargis to the prestigious Mid-Atlantic Regional Fisheries Council which is to oversee the implementation of the new, 200-mile fishing limit in the Mid-Atlantic States.—DEBORAH SHAPLEY

Laetrile: "Quack" Cancer Remedy Still Brings Hope to Sufferers

Despite governmental efforts to stomp it out and near-zero interest in it on the part of cancer researchers, the banned anticancer drug Laetrile has a steady, and apparently growing, market among cancer sufferers in the United States.

The claims for Laetrile, the substance extracted from apricot pits, are that it enhances well-being, brings relief from pain, prolongs survival, and in some cases brings about total remission of cancer.

A vague but oft-repeated estimate is that 20,000 people a year are turning to Laetrile for treatment of cancer; many others take it as a prophylactic in the belief that its alleged nutritional properties will keep them healthy.

Proponents of Laetrile—which is banned from importation and interstate commerce—are engaged in what they perceive as a gargantuan struggle with the Food and Drug Administration

(FDA), the agency many tend to regard as the evils of big government incarnate. The pawns in the conflict are thousands of cancer sufferers who see the government as trying to snatch from them what may be their last shred of hope.

The day may come when Laetrile is dismissed once and for all as a quack remedy, but it seems to be enjoying a much longer run than most. Efforts to stem trade in the substance only seem to stimulate more interest, as did, for example, the indictment of 16 people early this year for running an extensive Mexican-American Laetrile smuggling operation.

Most people get their supplies of Laetrile in Tijuana, Mexico, where pathologist Ernesto Contreras (one of those indicted for smuggling) runs a treatment center called the Del Mar Clinic. But