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THE OBSERVER

serving the notre dame - st. mary's community

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Important Watergate tapes lost

WASHINGTON (UPI) — Tapes of the two Watergate-related conversations the White House now says were not recorded might have proved or disproved President Nixon's innocence in the bugging scandal.

Apparently lost to history is vital recorded evidence that could have settled whether two key figures in the case —John W. Dean III and John N. Mitchell —told the truth under oath about the affair.

At an emergency court hearing Wednesday, Chief U.S. District Judge John J. Sirica disclosed he had been advised by the White House that two of the nine Watergate tapes Nixon agreed last week to surrender under court order "do not exist."

Evidence about the conversations was crucial to solving the mysteries of Watergate: One was a four-minute telephone conversation Nixon had with Mitchell, his campaign manager, just three days after the June 17, 1972, bugging arrests; the other was a 55-minute meeting Nixon had with Dean on April 15 this year, shortly before the President fired Dean as White House counsel.

White House lawyer J. Fred Buzhardt said the Nixon conversation with Mitchell "apparently was made from a phone extension" in the White House that was "not hooked into the recording system."

He said the Nixon-Dean meeting of April 15 "was not recorded due to a malfunction of the system or a basic inadequacy of the system."

Both were among nine tapes of Nixon's conversations with former White House aides and political advisers which special Watergate prosecutor Archibald Cox had fought in court to obtain before the President ordered him fired Oct. 20. Three days later, Nixon capitulated and agreed to give the gapes to Sirica for private review and possible use by the Watergate grand jury.

Sen. Sam Ervin, D.-N.C., chairman of the Senate Watergate Committee, called it a "curious" development. "If I was called on to produce the tapes, I would have reported that I didn't have them if I didn't have them," he said.

Sen. Lowell P. Weicker, R.-Conn., said it was "obvious that it's pretty important stuff that's missing."

Outside the courtroom, reporters asked Buzhardt:

"Do you think the public will believe this?"

"I don't know,"hre plied as he headed for a waiting White House limousine.

Cox, testifying before the Senate Judiciary Committee, said that during the April 15 meeting with the President, Dean was believed to have provided a "detailed version of the alleged cover-up."

Cox said he did not believe those with whom he dealt at the White House about the tapes knew anything about their condition. "I feel quite sure they did not know, he said. He added, "Mr. Buzhardt told me on several occasions that he had not listened to the tapes."

Dean himself told Ervin's committee in June he suspected the April 15 meeting was taped because Nixon had asked him "leading questions" about a cover-up.

Also, he said, Nixon got out of his chair at one point, walked to the corner of the office and said in "a barely audible tone" that he had been foolish to discuss clemendy for Watergate conspirator E.Howard Hunt Jr. with former White House adviser Charles W. Colson.

Dean also quoted Nixon as saying he had "only been joking" during an earlier conversation in saying it would be no problem to raise $1 million to buy the silence of the Watergate defendants.

Dean testified he wan't sure whether an April 15 tape existed, "but if it does and has not been tampered with and is a complete transcript of the entire conversation that took place in the President's office, I think that this committee should have that tape because I believe that it would corroborate many of the things that this committee has asked me to testify about."

When Mitchell testified before the committee, he said he never volunteered--and the President never asked for information about the Watergate break-in.

Sirica said he learned of the nonexistent tapes when Buzhardt met with him Tuesday to discuss arrangements for turning over the tapes.

"I felt these facts and circumstances..should be made a matter of public record as soon as possible," Sirica said.

After Sirica recessed the hour-long hearing until Thursday morning, Buzhardt told reporters it had been discovered only recently--he could not say exactly when--but the two tapes did not exist.

During questioning at his Senate hearing, Cox said he had "no prior knowledge" about the missing tapes, but recalled a telephone conversation with the U.S. attorney handling the Vesco prosecution in New York City in which Mitchell and former Treasury Secretary Maurice Stans have been indicted. Cox said the attorney told him of a conversation with Buzhardt about two tapes, one purportedly made on April 15, 1972. and the other on Feb. 28, 1973. Cox said the attorney quoted Buzhardt as saying

"You know, we sometimes have mechanical problems" with the tape-recording faciities. Cox said he and the attorney "both agree that the conversation had not been long enough to draw an inference."

After Sirica's startling announcement, Secret Service agent Raymond O. Zumwalt was called to the witness stand for testimony about the White House taping system--which was ordered shut down on July 18. That was two days after its existence was disclosed at the Senate Watergate hearings by former White House aide Alexander Butterfield.

Under questioning by Watergate prosecutor Richard Ben-Veniste, Zumwalt said a "full inventory" of existing tapes was made before they were turned over to a "General Bennett" who worked "somewhere on the White House staff."

Zumwalt said logs were kept indicating who removed tapes from a guarded storage room in the Executive Office Building adjacent to the White House, how many were taken and how long they were gone.

"Were there any procedures to see if the tapes had been altered," Ben-Veniste asked.

"No," Zumwalt replied.

"Were there any procedures to verify if they were the same tapes that left?"

"No."

"Was there any indication of copies being made?"

"No."

Zumwalt said tapes had been signed out no more than a half-

(continued on page 3)

Hesburgh speaks at Bulla Shed

by Howard Wood
Staff Reporter

Women at Notre Dame highlighted the discussions between Fr. Theodore Hesburgh and students at the Bulla Shed yesterday.

At the informal luncheon and talk-session, Hesburgh commented that discrimination against minorities in hiring isn't right. He said women will receive "preferential treatment.'to even the numbers between men and women faculty members. Presently only "nine per cent of the Notre Dame faculty is composed of women".

"Until 1968, there were no women professors at Notre Dame". Hesburgh noted that the university wants the department chairmen who do the actual hiring, to hire more women.

"This year, 25 per cent of the new faculty hired were women. There is no quota set but the university wants more women faculty members."

Hesburgh listed teaching, researching ability and interest in Notre Dame as the three criteria used for hiring faculty members.

Responding to questions about civil rights, Hesburgh noted that all minorities face discrimination in jobs. As an example, he mentioned a speech he gave at a IBM luncheon in New York last Tuesday. "All the department heads (research, sales, manufacturing) were present. Among these 40 people, where was only one woman and no blacks."

A special problem concerning women students is coming to Notre Dame, pointed out Hesburgh. "Among the four undergraduate colleges, approximately 60 per cent of the girls intend to enter the college of Arts and Letters. Approximately 20 per cent intend to enter Business Aduministration and even fewer will enter science or engineering. (Hesburgh could not cite the exact figures for this problem.)

"There is concern that if girls do not major in the three smaller colleges, they may be in danger because of low enrollment" said Hesburgh. "Giving preference to those applicants intending to major in science or engineering would not be the solution because so many change majors after arrival.

Reacting to the current problems in Washington, Hesburgh stated, "To govern, you need the confidence of the people. No one can govern people if he is not respected."

"There is the feeling that President Nixon is guilty because he is hiding the tapes. If he is clean, he should have revealed those tapes long ago."

"This is a crucial time in politics because Ismail Fahmi, the Egyptian Emissary and Golda Meir are coming to visit President Nixon," Hesburgh commented.

Answering a wide variety of questions, Hesburgh said the day will come when priests can marry. "In certain situations, such as being in the jungles of Africa, marriage could be the only salvation," he stated.

Hesburgh added he sees no reason why women cannot become priests. There is no rule that prevents women from becoming priests.

In regards to the victory over Southern Cal, Hesburgh called it "a great game." Referring to the "enterprising young men selling pieces of the goal post," he said, "no student should have to pay because everyone at Notre Dame has paid for them. These students shouldn't sell what they don't own. Students should only pay for the sawing."

Fr. Hesburgh was the first guest at the new Bulla Shed bi-monthly luncheon. There were about 60 students in attendance.

Fr. Tom Stella, director of Bulla Shed, Chris Gallagher and Kevin McCormich are the organizers of the luncheon program.

This program is organized as a service to the ND-SMC community to offer an opportunity for closer contact, and an exchange of ideas.

world briefs

BALTIMORE (UPI)--Spiro T. Agnew paid his $10,000 federal fine for income tax evasion Wednesday, U.S. Attorney George Beall noted Agnew remainson probation for three years, "obligated to maintain good behavior and not run afoul of any federal or state criminal statues."

WASHINGTON (UPI)--Senate investators charged Wednesday that at least $110,000 of President Nixon's campaign funds were spent on political dirty tricks--not counting the costs of the Watergate bugging.

WASHINGTON (UPI)--Reflecting a relaxation of Middle East tensions, the United States Wednesday cancelled the last traces of the worldwide U.S. military alert ordered last week.

Only the U.S. 6th Fleet in the Mediterranean, composed of some 60 ships and 30,000 men, remains on alert now, the Pentagon said.

LONDON (UPI)--Western sources said Wednesday the Arabs are seeking to impose a naval blockade on the Red Sea to prevent strategic supplies from reaching Israel's southern port of Eilat. The sources speculated this might be one reason why the United States has ordered an aircraft carrier and six other ships to the Indian Ocean.

on campus today

3:30 p.m.--**seminar,** "the logic of thermodynamics" rm. 269 **chem. engineering bldg.**

7 p.m.--**lecture,** "michel butor," **stapleton lounge**

7:30 p.m.--**lecture,** "the abortion controversy," **carroll hall**

8 and 10 p.m.--**film,** m-a-s-h, **engineering aud.,** $1.00

8:15 p.m.--**recital,** paula homer and ralph bruneau, **little theater, smc**

8:30 p.m.--**meeting,** charismatic renewal, **holy cross hall, nd**

University comptroller hits pedestrians

by Terry Keeney
Staff Reporter

Four persons were injured in ahit and run accident behind Dillon Hall at 5:10 p.m. Saturday afternoon.

Skip Horne, age 18, a student at the University of Cincinnati, was treated at St. Joseph Hospital for Hetoma of the arm and released. Robert Miller, age 23, of Portsmouth, Ohio, had an x-ray taken of his left leg and was released.

Also taken to St. Joseph Hospital, but untreated were C. R. Smitt of Portsmouth, Ohio, who suffered a bruised hip; and his daughter, Tina Smitt, who sustained a bruise on her left leg.

According to the Security Report of the accident the victims were walking west on the north side of Dorr Road behind Dillon Hall when they were struck by a red Pontiac also going west on Dorr Road.

Edward Barrett of 512 Angela Blvd. who was driving east on Dorr Road, witnessed the car with its right wheels off the roadway and then watched as the car accelerated going west. After driving on further, Barrett stopped and took the injured parties to the hospital.

The Security Report states that the driver of the car was Richard M. Lynch, comptroller of the university. Lynch said he was driving west on Dorr road at about 20 mph when he saw several persons walking ahead of him. He honked his horn, turned to the left side of the road and continued down the road.

Lynch said he was unaware of the accident until he was informed by Michael Doherty of Waltham, Maine. Doherty had witnessed the accident and had pursued Lynch's car from Dillon until curbing him in the vicinity of Lyons Hall. Lynch did admit hearing noises as he passed the people in the roadway.

ND Security found no intoxicating beverages in Lynch's possession although Lynch admitted having a few drinks after the game at the University Club.

No charges have been brought against the driver of the hit and run vehicle.

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Student body destroys goalpost

by Jim Donathen
Staff Reporter

Last Saturday, a jubilant student body managed to uproot and dismantle the goal post at the north end of our hallowed stadium. Some twenty students then delivered it to the most appropriate place on campus - the steps of the Administration Building.

"We left it on the steps, said Bob Thibodeau. "But when a few of us returned a half hour later, it was gone!"

And thus commenced the mystery of the missing goal post.

The whereabouts of the ten-foot post and crossbar remained a mystery until residents of St. Ed's observed pieces of this precious memento being carried about the hall. It was only the unmistakable sound of a hack saw that betrayed its hiding place, room 126.

Obtaining a souvenir piece of the modern day goal post is no easy task. According to the last report, it was taking strong armed students an average of forty-five minutes to successfully penetrate the steel post.

A resident of 126 confirmed the rumor that Fr. Hesburgh greeted their group on the steps of the Dome while they were in the process of cutting the crossbar in half. Despite being somewhat intoxicated (and who wasn't), he distinctively recalls the president saying : "Make sure I get a piece of it."

Well, Fr. Hesburgh, this reporter hopes that you have received your souvenir, for the once mighty target of Bob Thomas, has been effectively reduced to but a shadow of its former glory.

Students make off with goal post.

RETREAT - Nov. 9-11
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(Asst. Publisher - Ave Maria Press)

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PLACE: Old College

A fee of $5 ($3 non-refundable deposit) will be requested.

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700 children are depending on the Notre Dame student body.

Let's not disappoint them.

WNDU broadcast rights disputed

by Tony Proscio
Staff Reporter

The Mexican-American Council, a South Bend organization for Chicano civil rights, is challenging the right of WNDU-AM to broadcast. In a Petition to Deny License before the Federal Communications Commission, the council has charged WNDU with "indifference to the needs and interests of the Spanish-speaking community" in the area of broadcasting.

WNDU, which is not affiliated with the university or the student body, is the second local station to undergo a license challenge from the Mexican-American Council (MAC).

"Some time ago, we got together and bough air time on WJVA," explained Fr. Robert Baker, diocesan vicar for the Spanish-speaking community and resident assistant at St. Joseph Hall. "Thepurpose of the program of the program was to inform people of things that were going on in the community, as well as opportunities for education, where to go for Social Security, what to do about food stamps, the Better Business Bureau and so on."

The program called **Informing the People**, specialized in information but included music,he said.

"Whey they (MAC) ran out of money, they asked WSBT for free time. WSBT game them an hour on Sunday night, then increased it to an hour and a half," he noted.

WJVA's license was then challenged early this year because of their eefusal to provide free time. When the station arranged a Saturday morning broadcast, the chicano group turned to WNDU, Baker continued.

"We have scheduled several programs in the past that relate to Mexican Americans," contended Bazil O'Hagen, WNDU vice-president. "We have not had a regularly-scheduled program in Spanish, however. I can't see the advantage of having the same program on a group of stations (referring to WSBT and WJVA). Tjhere is advantage to variety."

The station's approach, he explained, is to schedule a bilingual program geared to both Spanish- and English-speaking minorities. Although plans for such a program are underway, he said, there has been no response from MAC and the Petition to Deny License has not been withdrawn.

"We've modified our License Renewal Application to the FCC," he continued, "to provide for some programming in response to the need they (MAC) brought up. We are currently making arrangements for a program produced by someone with connections with the Mexican-American people, understand their culture and speaking their language, but this person, as in all our programs, would be an employee of ours, receiving, we hope, full cooperation of the Mexican-American Council."

O'Hagen added that the program is expected to include the same kind of information used on **Informing the People** boradcasts, but should become a "more effective service" because of its bilingual format.

The proposed program program was outlined in an Application Revision submitted last August to the FCC by station General Manager William Hamilton. Calling MAC requests "unacceptable" and "excessive in light of interestsof other segments of the public to be served," WNDU proposed the bilingual program and charged that the Petition to Deny License is "without merit ...and should be dropped."

Ramon Rodriguez, anchorman for **Informing the People** on WSBT, expressed the chicano community's dissatisfaction with the station's compromise. "The community wants and needs a program in Spanish. We should try to give them a program in Spanish," he said.

Halloween spirits alive at SMC

by David Lee

Staff Reporter

Amid all the decor of demons and witches and goblins, there were happy spirits at the SMC dining hall this past Halloween evening. According to Tom Novak, an SMC food service manager, St. Mary's student government and dining hall service co-sponsored Halloween dinner activities.

In addition to the customary Halloween decorations, there was a popcorn machine, a costume contest, and an auction for the United Fund. Novak stated that the auction was the special bonus of the evening. Donations that had been collected from around town and school were being auctioned off in the center of the dining hall, he said. The students were really responding generously, Novak added.

'Spirits' enjoy Halloween party.

Another highlingt of the evening was the costume contest. Four cash prizes were given for the best costumes, which ranged from a scarecrow to hell's angels.

First place was awarded to Margie Fuchs, a junior psychology major, who dressed up as a combination Igor, Hunchback of Notre Dame and werewolf.

While accepting the prize, Ms. Fuchs reacted to the crowd's cheers by appropriately acting out the part of the monster. When later asked about the reason for her participation in the contest, she responded that she did it all in the spirit of Halloween.

Campus 'notables' lead senior march on Friday

by Judy Rauenhorst
Staff Reporter

Tradition will march on Friday, as ND and SMC seniors begin their celebrated journey to their last pep rally.

Hitting the local popular bars, the Senior Death March begins at noon on Friday. Chris "Hawk" Stevens, organizer of the Senior Class activity, set the schedule as follows:

Leave Circle: 12:15
The Library: 12:30 - 1:45
Nicky's: 2:50 - 3:20
Corby's: 3:30 - 5:00
Senior Bar: 5:00 - 6:45
Pep Rally: 7:00

Jerry Samaniego, senior class president, said Sweeney's will not be included after traditionally marching there for 30 years. "Sweeney is afraid he would not be able to accommodate such a large crowd," Samaniego explained. Since Sweeney's is not on the itinerary, there will be no buses.

"25 cent pints are being offered at all bars if everyone has a good time. If it gets out of hand, bargains will be cut off," Stevens said. This rate lasts only during the scheduled time for the marchers.

"The March has most recently become a Fall tradition. If we get enough drunks then we will plan anothr one for the Spring," Stevens said. Samaniego added, "It is a good time for all Seniors to get together before their last football game."

Many campus notables are expected to lead the march. Among them are Duff, Jerry Bradley, "Boots" Lange, Mike "Munk" Hinga, Anne "Queen of Corby's" Fisher, Little Tommy Ross, Ed Garbarino, H-Man, Ray "Pollack" Jablonski, "Chief" Devcich, Fred Manley and Tommy Mashenga.

A special guest appearance by the Knaked Klunker is planned for one of the bars.

Arabs seeking naval blockade

By JOSEPH W. GRIGG

LONDON (UPI) —Western sources said Wednesday the Arabs are seeking to impose a naval blockade on the Red Sea to prevent strategic supplies from reaching the Israel's southern port of Eilat.

The diplomatic and defense sources speculated this might be one reason why the United States has ordered the aircraft carrier Hancock and six other ships to the Indian Ocean.

The blockade, the sources said, apparently is designed to prevent oil and other supplies reaching the southern port of Eilat on the Gulf of Aqaba on the Red Sea. A large proportion of Israel's imports, particularly from Africa and the Far East, reach her through the port.

It was the blockading of Eilat by the late Egyptian President Gamal Abdel Nasser in May, 1967, that sparked the Six-Day War soon afterwards.

Egypt announced earlier this week that the southern entrance to the Red Sea, the straits of Bab el Mandeb, was closed to all Israeli-bound ships, including oil tankers.

In Cairo, the Middle East News Agency was reported here to have said, "Israel faces a sea blockade, which is causing her great economic and political losses."

Diplomatic sources here said Israel is unlikely to accept such a blockade following the Middle East cease-fire on other fronts.

Israel also has said any ultimate Middle East peace settlement must include provision for complete freedom of navigation on international waterways.

Dilomatic sources said this would include not only the Suez Canal, closed since the 1967 war, but also the straits of Tiran, which provide the direct sea approach to Eilat, and the straits of Bab el Mandeb.

Watergate tapes missing

(continued from page 1)

dozen times, and that the number removed at any one time varied from one tape to as many as 15 or 20. The longest time any was gone, he said, was "under a week."

Zumwalt said he did not know which individuals might have heard the tapes, although Butterfield had listened to one of them in his presence. He said he had not seen the log since the Secret Service lost possession of the tapes last July.

Former White House chief of staff H.R. Haldeman has testified that he listened to two tapes--one recorded Sept. 15, 1972, and the other of a March 1973 meeting--both before and after he resigned from the President's staff.

Sen. James L. Buckley, R-N.Y., said disclosure of the missing tapes had "dramatically shifted the burden of proof" to the President. "As of this moment, President Nixon has the clear burden of satisfying the American people that he has been speaking the truth," he said.

Fr. Hesburgh speaks at Bulla Shed luncheon.

The Nixon Tragedy

Editor:

Mr. J. Napier's column, "Impeachment on Suspicion," which appears in today's issue of the Observer, misunderstands the mechanics of the process of impeachment. Rhetorically listing a number of issues which have raised serious doubts about Mr. Nixon's conduct, and using the heavy club of irony to beat down the straw men whom he identifies as "impeachers," Mr. Napier likens the impeachment movement to a witch hunt, and regrets that "suspicion" seems to be the "impeachers'" only motive.

The Constitution itself provides the machinery of impeachment for the removal from office, under certain specified conditions, of the President and other officers of the Federal Government. A bill of impeachment passed by the House of Representatives constitutes an indictment. This indictment is then prosecuted and tried by the Senate. Impeachment per se does not imply a presumption of guilt. It implies only that there is sufficient warrant, in the estimation of the House of Representatives, to initiate trial proceedings. In this sense, every judicial proceeding involving the criminal law begins on the basis of "suspicion"; it remains for the adversary dialectic of the trial to determine guilt or innocence.

Syllogisms invented by Mr. Napier and Mr. Cox's firing are not sufficient grounds for impeachment. What is in question is Mr. Nixon's Constitutional obligation to "take Care that the Laws be faithfully executed," and his oath "to the best of my Ability, (to) preserve, protect, and defend the Constitution of the United States." The Cambodian bombing, the ITT case, the Hughes affair, the Vesco affair, the impoundment of funds, the Watergate affair and its coverup, and the reluctance with which Mr. Nixon cooperates in the legislative and judicial investigations of these matters causes some doubt about his determinatin to execute the law to the best of his ability. Since such execution is his Constitutional function, these doubts bring the performance of his office into question and provide the basis for the initiation of impeachment proceedings.

Other alternatives are possible: specifically, a vigorous prosecution of the laws by the Executive. Mr. Cox's dismissal is a catalyst for the impeachment movement precisely because it seems to suggest that Mr. Nxon will not pursue the alternatives available to him. It is not in itself cause for impeachment, but it leaves the Congress with few, if any, other choices. The Congress "may by Law vest the Appointment" of an independent prosecutor "in the Courts of Law," but I suppose that the President can both obstruct that appointment and interfere endlessly with the prosecutor's investigation. If so, the obstruction of justice also falls within the definition of "high Crimes and Misdemeanors."

Generally speaking, the impeachment movement is neither a political vendetta nor a witch hunt; I agree with Mr. Napier that "Our republic needs neither" of those. The whole sorry affair is a tragedy, whose repercussions will be felt throughout the subsequent history of this nation. I hope Mr. Nixon will be able to submit to the one unequivocal form of legal discipline provided by the Constitution, and that the subsequent trial before the Senate will vindicate him. But I fear one thing more than I fear the torture of an impeachment: and that one thing is executive government by a man who has placed himself above the law.

Sincerely,
Bob Kerby

Avoid Impeachment

Dear Editor,

Since more moderate tones are so seldom heard in this daily press, I would like to make one further attempt to clarify the importance of avoiding impeachment of the President based on suspicion.

The impeachment of a President is not a simple analogue of the common indictment. Because of the drastic, last resort, auro of impeachment, the consequences of a yote for impeachment far exceed the weight of a simple indictment. For example, in impeachment proceedings, the man involved is virtually certain to find his status shattered no matter the outcome of the Senate's final vote.

If this impeached man happens to be the President of the United States, the consequences of impeachment are the most drastic of the drastic. A loss of respect for political institutions, turmoil and chaos would be certain to accompany any majority-approved vote for impeachment. To a large extent, domestic government functions, especially in the legislative branch, would find themselves at least curtailed. The foreign service, a direct dependent of the executive branch, would immediately find itself reeling under the consequences of the leaderless void which the impeachment of the President would precipitate. And finally, the every day citizen would feel all these forces converging and pressing upon him.

Since impeachment is the first step inthe most drastic recourse of our checks and balances system, and since the consequences of impeachment are so grave, the congress should only seek the impeachment of the President if it possesses evidence, other than suspicion, which includes the President in high crimes or misdemeanors.

Fortunately, the at best premature cries for impeachment of the President are falling only on Bella Abzug's friends' ears. Rather than acting without firm evidence, the House has chosen, through its Judiciary Committee, to investigate the matter and change the general suspicion to either direct evidence of guilt or, as the man stands now, innocent. Further proceedings must await either new developments of the committee's findings.

Sincerely,
Jim Napier

An Insidious Danger

Editor:

Impeachment of a President is very serious. I feel, especially with the integrity of the press in question, that we owe ourselves investigation beyond the headlines. I refer to history, the account of Senator Edmund G. Ross in J.F.K.'s **Profiles in Courage**. Ross cast the deciding vote in Andrew Johnson's impeachment trial at great personal sacrifice. The events and statements in this chapter correlate well to the present. I would like to relate a few general points, with quotes from the book.

At the time of Johnson's term, there was no Vice-President. The President Pro Tempore of the Senate was in line for the Presidency. The Republican Congress differed greatly with the President, a Democrat.

Senator Joseph Smith Fowler "was horrified by the mad passion of the House in rushing through the impeachment resolution by evidence against Johnson 'based on falsehood,'...

"As the trial progressed, it became increasingly apparent that the impatient Republicans did not intend to give the President a fair trial on the formal issues upon which the impeachment was drawn, but intended instead to depose him from the White House on any grounds, real or imagined, for refusing to accept their policies."

Ross stated, "...so far as I am concerned, though a Republican and opposed to Mr. Johnson and his policy, he shall have as fair a trial as an accused man ever had on earth."

And years later, "In a large sense, the independence of the executive office as a Coordinate branch of the government was on trail...If...the President must step down...a disgraces man and a political outcast...upon insufficient proofs and from partisan considerations, the office of President would be degraded, cease to be a coordinate branch of the government, and ever after subordinated to the legislative will...This government had never faced so insidious a danger..."

Wade Mayberry

And Again, Fr. Toohey

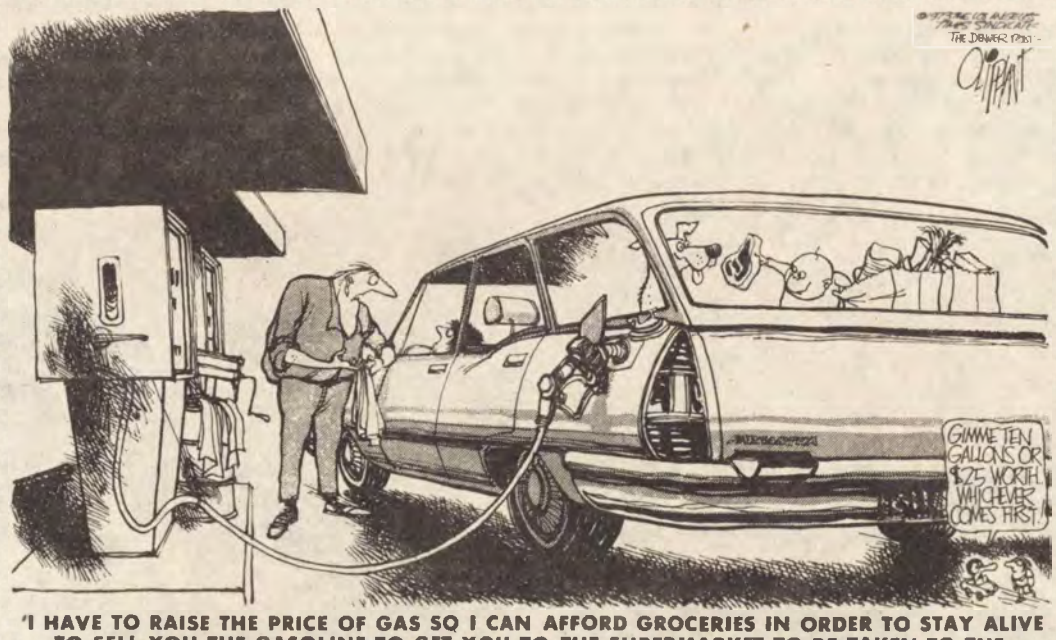
Dear Editor:

After reading Fr. Toohey's article, Confessions of a Right Winger, I felt that I had to respond.

It appears that his alleged anti-Communism has become a controversial issue on this campus. Frankly, I couldn't care less what Fr. Toohey thinks of Communism. What irks me, however, is the way that he is able to dupe both his supporters and his opponents. Can't anyone see that this whole issue is just a red herring (no pun intended)? Actually the whole thing is a clever smokescreen to divert the attention of the students from his lack of involvement in the real issues which don't include the "Communist menace."

Fr. Toohey likes to pose as a man who's constantly embroiled in important controversies. He likes to have the reputation of a man who provides outspoken moral leadership on the major issues of the day. In other words, he likes to cultivate the image of a fighter, championing the underdog against powerful vested interests. Let's take a look at the record. It appears that Fr. Toohey chooses his controversies with great care. After all, what could be safer than attacking Communism on this campus? Fr. Toohey enjoys nothing more than being in the center of a flurry of controversy (provided that it involves no real risk to himself of course) and that's exactly what this series of anti-Communist statements has produced. That device relieves the pressure on him to take on really formidable issues and opponents. This way Fr. Toohey has the best of both worlds–he remains his leadership among committed youth without having to do anything disturbing to the Establishment. He can afford to get immersed in a phony controversy over Communism at Notre Dame, but would he ever pull the same stunt at Georgetown or Berkeley where he could catch real flak? All he got here was a few letters to the **Observer** and scattered campus criticism bemoaning imaginary threats to academic freedom. When is Fr. Toohey going to turn his critical attention and "moral leadership" to establishment involvement here at Notre Dame? Don't hold your breath.

Yours,
Mark K. Reynolds



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doonesbury **garry trudeau**

the observer

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a garden of earthly delights - beaux arts ball

matt kubic

Down from the mountains of Thrace came the followers of the great god Dionysus. The wine-swillers, drunk and laughing, danced in the glittering light. Garbed in goat skin, mimicking the appearance of their half man-half goat god, they spun to a frenzied rhythm. Across the nation they surged gathering followers to their hedonistic pleasures. The cult of Dionysus will find its final resting place in "A Garden of Earthly Delights," the Beaux Arts Ball to be presented by the students of architecture, Saturday from 10:00 p.m. to 3:00 a.m. immediately following the Paul Simon concert.

In the dark mystical dimensions of man there has been a continuous attempt to escape from one physical dimension to another by the assumption of the physical attributes of a foreign being or object. The Beaux Arts Ball provides a twice yearly opportunity for this type of escape into the unreal with the themes of these costumed events traditionally leaning in this direction. In recent years themes have been: "TheAge of Decadence," R"Reality in Ruin", "Peaches in Regalia", "The Grand Hotel", and "The Supermarket Stomp". A highlight of last year's Ball was the 1:00am distributution of hamburgers to the munchie craving participants of the bacchanal.

beaux arts tradition

The name Beaux Arts Ball comes from **L'Ecole de Beaux Arts** in Paris, France, which began the tradition of a yearly costume ball. According to Francesco Montana, Director of the Architecture Department's Rome Studies Program, who studied at **L' Ecole de Beaux Arts**. the Ball in the United States is only a minute replica of what it used to be in Paris. **L''Ecole de Beaux Arts** was started in the Napoleonic Era when a school was needed to maintain the various arts. The ball was actually called the "Ball of the Four Arts", representing Architecture, Sculpture, Music and Painting. During his student days, Professor Montana attended one of these balls. The Theme was, "Francois Premier," and Mr. Montana said, "The students went all out in their costumes. They were either very elaborate or as brief as possible without creating scandal."

the perils of plaster

The Junior Architecture students currently in Rome held their own Beaux Arts Ball last Friday. The location was the Hotel Paradiso, and theme was naturally, "Inferno dal Paradiso." Unfortunately, there was a restaurant located under the room where the affair was held and the owner was forced to complain about the plaster falling from ceiling, caused by the frenzy upstairs.

The Architecture Building at Notre Dame offers a unique setting for this type of gala event with its balconies and galleries surrounding the open dance floor. Gene Aleci who is in charge of decorations for "A Garden of Earthly Delights", says that, "earthy, leafy, growey, viney things, and fruits will abound. " Music for the ball will be provided by the Mark Bloom Band. Tickets are $2.50 per person, and $4.50 per couple, and they will be on sale at the Architecture Library or at the door. The event is open to the entire Notre Dame community.

here comes rhymin' simon

maria gallagher

The Paul Simon you'll see Saturday night is not the same Paul Simon who wrote the brooding "Sounds of Silence," "I am a Rock," and other biggies of the '60's, an more than he is the same Paul Simon who wrote "Hey, Schoolgirl." Musically he has grown up, cut the apron strings of a 14-year partnership, and junked the flowery embellishment the two were heading toward in **Bookends**. Those unfamiliar with the solo albums, who identify him with the easy-sounding heavies may get jolted by the 'new' Simon. They don't sing his new stuff at high school guitar masses. Even the golden oldies will have a new glitter as his two backup groups (one Latin and one gospel) join in on "The Boxer," "Sounds of Silence," and "Bridge Over Troubled Water."

Columbia Records will be recording Saturday's performance by Paul Simon for possible use on a future record, it was announced today by Richard Donovan, Student Union Concert Coordinator. A mobile recording unit will be transported to the ACC for the event. A good number of $3.00 seats are still available for Simon's appearance, which Donovan predicted should be the best show of the season. They will be on sale at the ACC Box Office through showtime on Saturday.

This college tour is intended to establish his independent identiy and has been getting fantastic reviews; however, he may have a way to go as his albums still get filed under Simon and Garfunkel. But there is no doubt that Paul Simon can stand alone. When they toured seven years ago, it was Paul Simon who was the bridge between stage and audience--his humor, his monolgoe and ultimately his songs made the concert. In those days, they showed up with two stools, two acoustic guitars, and maybe a balloon. Garfunkel's arrangements were simple, nice, but Simon's poetry made the impact. He has always been first and foremost Paul Simon the **writer**.

experimenting

The fact that Simon's lyrics always did--and still do--appear on the album jackets indicates the importance he attaches to them, but lately he seems more occupied with experimentation in different musical forms (reggae, gospel, etc.) than in conscious poetry. The most recent lyrics (about half of the **Bridge** album and the two solo albums) have been a literary disappointment--trite, simple, innocuous--call them what you will. The wry humor that has always been Simon's is there, but the introspection of the '60's is gone.

reflecting the times

In a way, Paul Simon's songs have been like paperback-book cover art; they are an almost kitsch reflection of the life and times in which they were written. The early songs from the **Wednesday Morning, 3 A.M.** album, (1964) reflect the heyday of folk music--Peter, Paul and Mary and oral tradition peppered with social commentary.

Their first hit albums--**Sounds of Silence** and **Parsley, Sage, Rosemary and Thyme** (both recorded in 1966) are the peak of their--and everyone else's--Dylan stage; even the vocal style is outright plagiarism in some cuts. Two years and movie soundtrack (to **The Graduate**) later, we get a recapitulation of their alienation themes, this time with violins, in **Bookeneds**. At this point they are already becoming alienated as partners. Finally comes **Bridge**, their last album together, which Paul Simon rather cryptically referred to in a **Rolling Stone** interview as "just about my first solo album," (citing Garfunkel's gadding about as a fledgling film star, giving little time to the album). In **Bridge** is the germ of where Paul Simon, the individual, started. He's discovered a whole world of music exists apart from simple acoustic guitars and full orchestra backup--even if it be pounding a piano bench and clapping ("Cecilia"). Hopefully she can also discover some new says to write meaningful sentiments too.

Saturday night should be an interesting study of an old artist's ability to produce new magic.

In clarification of yesterday's editorial concerning the Paul Simon concert, Concert Coordinator Richard Donovan released the following statement:

Patrons arriving after the performance has begun will be admitted to the concert, but only at an appropriate break in the show to be decided by Student Union and ACC officials, and the artist's representative. In the interim, latecomers will be required to wait in the foyer.

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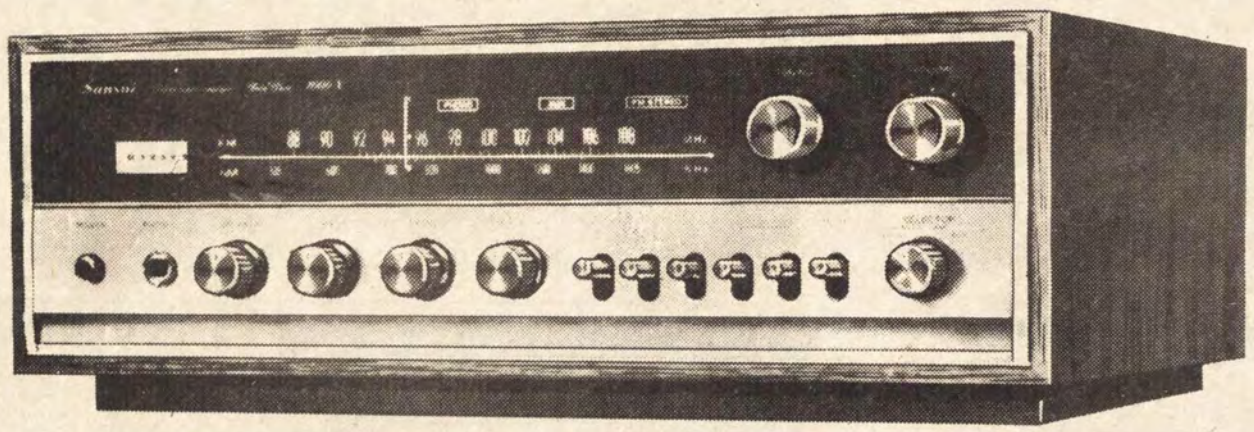

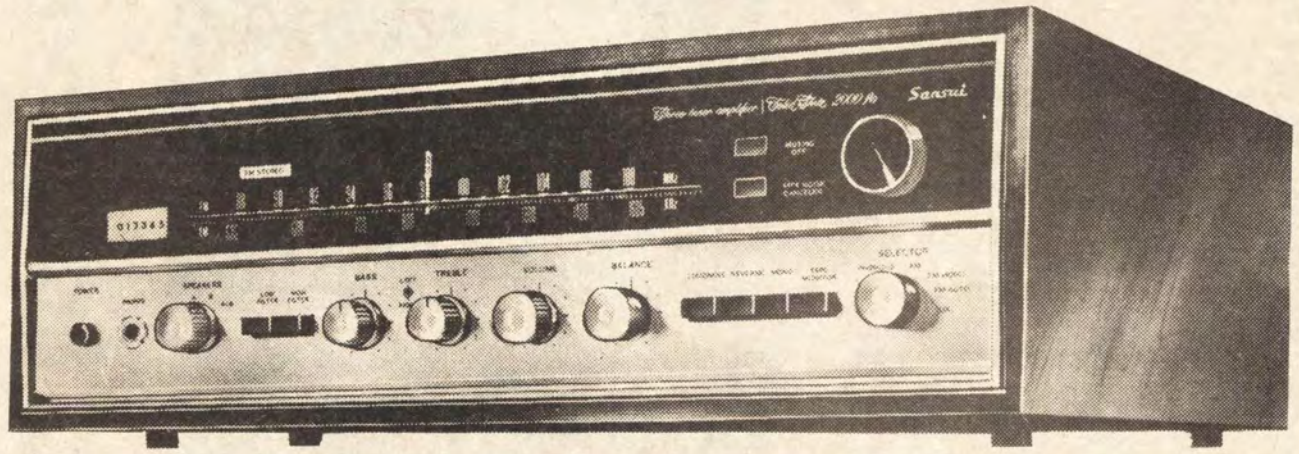

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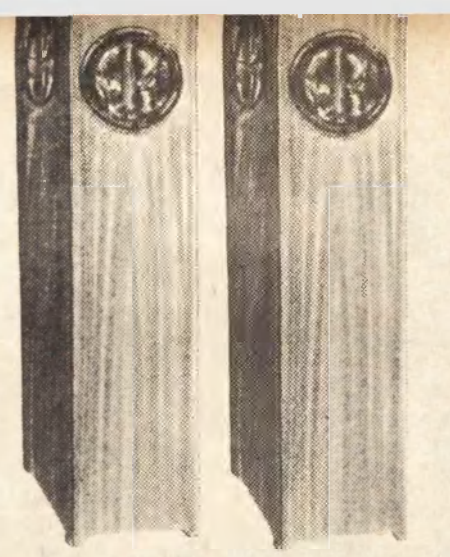

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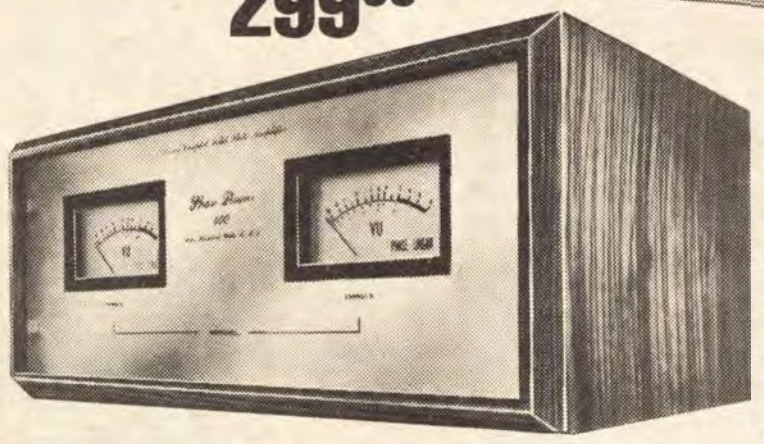

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Golda Meir consults with Nixon

By United Press International

Israeli Premier Golda Meir arrived in Washington Wednesday to ask President Nixon not to give in to Arab and Soviet demands for an Israeli troop pullback before any Middle East prisoner of war exchange.

Mrs. Meir said the United States was a "close friend of Israel but not the enemy of Arab states."

As Mrs. Meir flew to the United States, President Anwar Sadat of Egypt said his army was ready to wipe out Israeli forces on the west bank of the Suez Canal if they did not withdraw to positions held before the Oct. 22 cease-fire.

Egypt has demanded an Israeli pullback before any exchange of war prisoners. Such a withdrawal would free the 20,000 Egyptian troops that Israeli forces have trapped on the canal's east bank.

"I have come to Washington, come to a friendly country, a friendly government and a friendly president," Mrs. Meir said on arrival.

She said the United States has been a close friend of Israel and "has demonstrated it more than once. At the same time, no one can say the United States is the enemy of Arab states.

"It is one big power that really is interested in peace in the area."

"There are naturally from time to time problems for which we seek answers and clarifications," she said.

Israeli government sources said Mrs. Meir would ask Nixon to support her country's demand for an immediate and unconditional prisoner exchange—one not contingent on Israel's pulling back to Oct. 22 truce lines.

Mrs. Meir was expected to give top priority to the deadlocked prisoner of war issue in her discussions with Nixon and Secretary of State Henry A. Kissinger during her four-day visit. She was to meet with Nixon Thursday.

Kissinger, who will visit four Arab capitals along with Iran and Pakistan next week, said "we believe we are making progress" in efforts to negotiate peace in the Middle East.

After Mrs. Meir's departure from Israel, a military spokesman reaffirmed the nation's stand that the agreement with Egypt to exchange wounded prisoners of war did not call for Israeli troops to withdraw to the positions held Oct. 22 when the United Nations cease-fire officially took effect.

Man charged with murder after mercy killing paralyzed brother

FREEHOLD, N.J. (UPI)—Lester Zygmaniak stood beside the hospital bed of his paralyzed brother.

"I am here to end your pain," he said. "Is that all right with you?"

His brother nodded, "and the next thing I knew," Lester testified Wednesday, "I had shot him."

George Zygmaniak, 26, was paralyzed from the neck down in a June 17 motorcycle accident at the family home in Perrineville, N.J. On June 20, he was shot to death in his hospital bed. His 23-year-old brother was charged with murder.

George's widow, Jeannette, testified that on the fatal night George told her:

"They are torturing me. Swear to God for me that you won't let me live. Promise you won't interfere, swear to God you won't interfere."

Then, she said, the three joined hands and prayed together.

Lester testified he went to his room and sawed down a shotgun. He said he took some shotgun shells, dropped melted candle wax over them to keep the shot from scattering, then went to the hospital.

"I walked over to the room, looked in and saw my brother. I asked him if he was in pain, a lot of pain. He nodded, 'yes.'

"I am here to end your pain," he said he told George. After he fired, he said, he put his hand on his brother's chest and said "God bless you, George, I'm sorry it had to happen like this."

Third time for financier

Grand jury indicts Vesco again

NEW YORK (UPI) —Fugitive financier Robert I. Vesco has been indicted by a federal grand jury in Manhattan for the third time in the continuing effort to have him extradited from Costa Rica or the Bahamas.

The sealed indictment which was filed last July 20 and opened Wednesday charged that Vesco defrauded $50,000 from the International Controls Corp. of Fairfield, N.J., which he once controlled.

The previous indictments alleged attempted fraud. This charge was ruled out by a Costa Rica court as an extradictable offense and Bahama courts never acted on it.

The latest indictment charges actual fraud. Vesco was indicted last May with former Attorney General John Mitchell and former Commerce Secretary Maurice Stans on charges of conspiracy, obstruction of justice and perjury —none of which are considered extradictable offenses.

The three defendants and Harry Sears, a prominent New Jersey Republican, were accused of trying to influence a massive fraud investigation of Vesco in return for his secret $200,000 cash contribution to President Nixon's re-election campaign last year.

Vesco has been a fugitive since last February, dividing his time between his homes in Costa Rica and the Bahamas. At least two fugitive warrants are outstanding against hi9)

Stans and Mitchell are scheduled to go on trial Jan. 7. Sears will be tried later.

The latest indictment alleged that Vesco used $50,000 in ICC funds as part payment for stock in Investors Overseas Services Lts., a Swiss financial complex. Vesco allegedly had asked Mitchell and Stans to influence a Securities and Exchange Commission investigation of his alleged looting of $224 million from IOS.

The new indictment centers on the transfer of the $50,000 in ICC funds to C. Henry Buhl, 3d, a former director of IOS-managed funds.

It alleged that Vesco sent a telegram from the Bank of America in San Francisco to the Compagnie de Banque et d'Investimente in Geneva, Switzerland, with instructions to pay the money to Buhl.

Protestant extremists border in Northern Ireland

BELFAST, Northern Ireland (UPI) —The Protestant Ulster Defense Association (UDA) marshalled uniformed patrols at minor road crossings between Northern Ireland and the Irish Republic at midnight in an attempt to close the border but police said traffic moved through principal crossings unimpec

The extremist UDA wanted the border closed to combat the increased violence of the militant provisional wing of the Irish Republican Army (IRA). It had threatened a blockade to force security forces to take action.

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Rebozo clarifies contribution

MIAMI (UPI) —Presidential confidante Charles G. (Bebe) Rebozo said Wednesday that if the Internal Revenue Service had not begun investigating a $100,000 campaign contribution from Howard Hughes it would have been used for congressional campaigns in 1974.

Rebozo, in a copyrighted, exclusive interview with the Miami Herald for its Thursday editions, said he never told President Nixon about the Hughes money, and returned it more than a year after the IRS investigation began.

Rebozo said if the IRS had not become interested in the Hughes contribution, "the money would have been used in the '74 congressional campaign."

The Herald said that in an interview with five of its editors and reporters, Rebozo also:

—said it is 'totally false" that Watergate special prosecutor Archibald Cox was dismissed for beginning an investigation of the $100,000 Hughes contribution.

—Denied that his bank, the Key Biscayne bank on the residential island where Nixon was a vacation home next to Rebozo's house, was ever used to "launder" Nixon campaign funds. He said the President and Mrs. Nixon have a joint account in the bank and that each of the Nixon daughters has an account.

—Said that the deal he and another Nixon friend, millionaire Robert Abplanalp, put together to help Nixon buy his San Clemente estate was "actually a very normal transaction that got blown completely out of proportion."

Rebozo, 61, also said his friendship with the President had nothing to do with the fact that a federal charter was refused for a group seeking to start a rival bank on Key Biscayne, but that a charter was granted for a savings and loan association with Rebozo associates among the directors.

"The President didn't even know until his news summaries referred to it that there was another bank application up there," Rebozo said.

Disclosure of the granting of the charter to the savings and loan group has instigated a congressional investigation of the matter.

Rebozo said he received the money from Hughes in 1970, half in San Clemente and the other half at his Key Biscayne home. He said both times the money was brought by Richard Danner, a Hughes aide. He said there was no campaign finance chairman at the time.

Rebozo said he told the President's personal secretary, Rose Mary Woods, about the contribution "shortly after" receiving the money. But he said he didn't tell the President about it until after the 1972 election, "on one of his visits" to Key Biscayne.

"I knew I had to tell him and I knew that Rose hadn't told him," Rebozo said. "I couldn't sit there forever with this money without at least letting him know about it."

He said he decided to leave the money in the safe deposit box —"I thought I'd just sit tight and see if all this blew over" —after an internal battle developed within the Hughes empire.

he put the money in a safe deposit box in his bank because

He said the IRS began an investigation of the campaign contributioln in May of 1972 but that he did not return the money until June of 1973.

Rebozo also disclosed that he had once counted the money and found an extra $100 bill, making the exact amount of the contribution $100,100.

He said when he received the money, "there was no question in my mind what it was ever for. I only had one candidate. There was one race that I was interested in, and that was getting him re-elected."

But Rebozo said that "I'm not a fund-raiser and I don't evenlike to handle money." He said, the Herald reported, that he cannot remember how much other campaign money he handled in 1968 and 1972.

Jaworski possible prosecutor

By HELEN THOMAS

WASHINGTON (UPI) — Prominent Houston lawyer Leon Jaworski, a former President of the American Bar Association, was expected to be named Thursday as special Watergate prosecutor, it was learned Wednesday night.

Reached by telephone at his Houston home, Jaworski said that he expected an announcement on a new prosecutor would be made tomorrow but he would not flatly confirm he would be the man.

Jaworski said that he had discussed the possibility of taking on the prosecutor job with both acting attorney general Robert Bork and Sen. William O. Saxbe, R-Ohio, who is expected to be nominated attorney general, succeeding Elliot Richardson who resigned when President Nixon fired former special Watergate prosecutor Archibald Cox.

"If an announcement is made you will see that there are certain conditions," Jaworski told UPI. He made it clear that he expected to have independence and a free hand should be replace Cox in investigating the Watergate scandal and other charges of political corruption.

Jaworski said his appointment would hinge on his freedom to pursue the investigation independently even to the point of going through the judicial process to secure more tapes and documents from the President if necessary.

Cox was fired after he refused to accept a Nixon directive to halt court efforts to secure White House tapes and documents.

Jaworski said he was in Washington Wednesday but did not meet with Nixon.

He indicated that he was importuned to accept the post on the basis of "fulfilling patriotic duty."

Jaworski's Who's Who biography lists his age as 68 and his birthplace as Waco, Tex. He was educated at Baylor University and Geoorge Washington University, and practices law in Houston. He is married to the former Jeannette Adam and has three children.

He is a Democrat and was appointed by President Lyndon B. Johnson to many presidential commissions during Johnson's tenure.

John Hushen, Justice Department spokesman, declined to confirm or deny that Jaworski would be appointed as special prosecutor. He said he was authorized to say in Bork's behalf only that "the search is narrowing."

Earlier congressmen from both parties expressed doubt legislative efforts to create an office of special Watergate prosecutor could survive a constitutional test.

Experts to discuss aspects of abortion controversy

A panel discussion on "The Abortion Controversy" will be held Thursday, November 1, at 7:30 p.m. in Carroll Hall.

Part of the continuing series "A Woman's Place Is....," Thursday's discussion will center on several aspects of the abortion issue. Offering an outlook from a scientific viewpoint will be Dr. Clarence Dineen, chairperson of the biology department at Saint Mary's. He will examine the development of human life both before and after birth. Dr. William Wernz, a member of the religious studies department at Saint Mary's, will discuss the moral question of abortion in the light of law and religion.

Gordon Cook, M.D., South Bend physician and a member of the Planned Parenthood Association, will examine both historical and current attitudes towards abortion as they relate to religion, law and medicine. He will also cover the attitudes prevalent in foreign countries and the United States, and will pose a question for the future. State senator Joan Gubbins (R-Indianapolis) will also be present Thursday evening to discuss her activities concerning the legal aspect of abortion.

The public is invited to attend the panel discussion. Admission is free.

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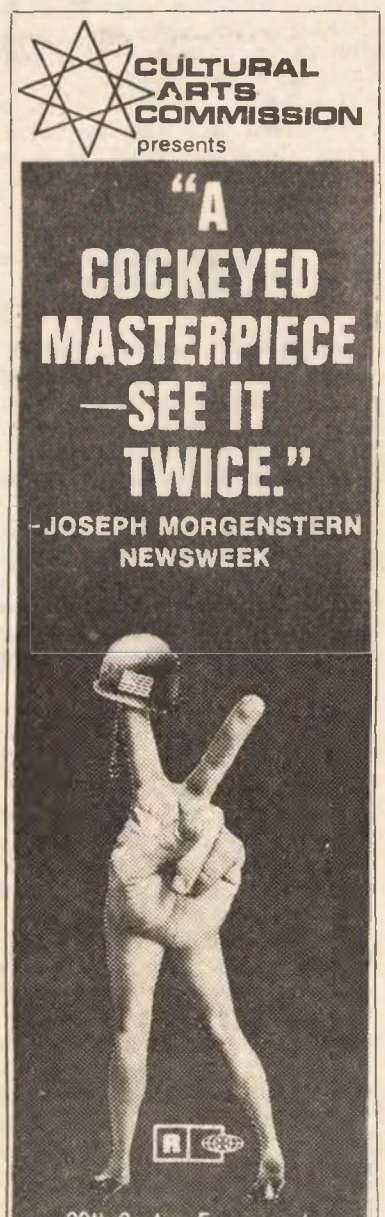

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Kleindienst denies contradiction

Washington UPI - Former Attorney General Richard G. Kleindienst said Wednesday he threatened to resign in 1971, forcing President Nixon to permit him to appeal an antitrust case involving the International Telephone and Telegraph Corp ITT.

But Kleindienst denied he had committed perjury when he told the Senate Judiciary Committee duringhis confirmatio ~~hearing~~ in the spring of 1972 that no one in the White House had pressured him over the ITT matter.

Kleindienst said committee members had questioned him not about Nixon but about alleged attempts by Peter Flanigan of the White House staff to pressure him to hold off on appeal.

Kleindienst issued a statement on the ITT case after Archibald Cox, the ousted Watergate special prosecutor, acknowledged before the Senate Judiciary Committee Tuesday that Kleindienst had told him about receiving a telephone call from Nixon in 1971 about the ITT case.

Information about the Nixon call to Kleindienst was leaked to the press on Monday, prompting a White House attack on Cox and his staff for an "inexcusable" breach of confidence. Cox then acknowledged he had privately told Sens. Edward M. Kennedy, D-Mass., and Philip A. Hart, D-Mich., and some of their staff members about his conversation with Kleindienst.

Kleindienst, in a statement issued through his attorney, Herbert J. Miller, said former White House domestic adviser John D. Ehrlichman had called him on April 19, 1971, "and stated that the President directed me not to file the appeal in the Grinnell case." At the time, the Justice Department was challenging ITT's proposed acquisition of the Grinnel Crop., a plumbing equipment company.

"That was the last day in which that appeal could be taken." Kleindienst said. "I informed him that we had determined to take that appeal, and that he should so inform the President. Minutes later, the President called me and, without any discussion ordered me to drop the appeal.

"Immediately thereafter, I sent word to the President that if he persisted in that direction I wouldbe compelled to submit my resignation."

SMC to vote on lettuce boycott

by Melissa Byrne
Staff Reporter

SMC students will vote next week on a proposed change in SMC dining hall lettuce purchasing policy. The change involves buying lettuce picked by United Farm Workers rather than the Teamster Union lettuce currently used.

"I hope the SMC students will respond positively and vote to change the purchasing policy because they will be contributing to the cause of justice for United Farm Workers," said Tom Stella, assistant director of ND Campus Ministry and part-time member of SMC Campus Ministry.

The United Farm Workers, headed by Cesar Chavez, was formed several years ago to help the poverty-stricken Mexican-American farm worker.

Last spring, as UFW contracts were about to expire, the Teamsters negotiated new contracts with the growers. This is known as a "sweetheart" contract made between the union and the grower without the laborer's consent.

By boycotting grapes and lettuce, UFW supporters have attempted to pressure the growers and the Teamsters into recognizing the rights of the farm workers.

Last spring it became known that lettuce used in the Notre Dame dining halls was Teamster lettuce. The Teamster lettuce was purchased because it was more plentiful and cheaper than other lettuce.

The ND Campus Ministry viewed the purchase of Teamster "a contradiction of Christian values of justice." The Campus Ministry then initiated a referendum to determine if ND students preferred their dining hall lettuce policy be changed.

As a result of the vote, UFW lettuce is now served in the Notre Dame dining halls. If no UFW lettuce is available, no lettuce is served in ND dining halls. However, this shortage of UFW lettuce occurs approximately once every two weeks.

Stella: "I hopw SMC students will respond positively..."

Stella indicated Crawford Caswell, SMC's Food Service director, will change SMC policy of buying Teamster lettuce should students vote for UFW lettuce. "As long as SMC serves Teamster lettuce it makes farm worker justice harder to bring about," said Stella.

Connally calls for confirmation

NEW YORK (UPI) —Former presidential advisor John B. Connally called Tuesday for the speedy confirmation of Gerald Ford as vice-president to "restore some stability to this government."

Speaking at the 70th anniversary dinner of the Naval League, Connally said some congressmen tried to "make a hostage of Ford while new attacks against the President were being deliberated."

Connally, who was once considered a possibility for vice-president, said Congress should investigate the background of Ford, the House Minority leader, as soon as possible and if they find "pertinent reasons" to reject him, then "take that action."

"But," Connally said, "if this is not the case, and I'm confident that it is not, then it is incumbent upon every responsible leader in Congress to speed the confirmation proceedings and begin restoring some stability to this government."

There is an element of hatred in this controversy, the smell of a vendetta," he said, "and if wiser and cooler heads of both political parties don't take control, we are in for a much greater trauma than we have yet experienced."

The Texas Republican said he did not think President Nixon would be impeached and added that the basic problem was "a conflict between the executive and legislative branchs of government."

He said the conflict was not uncommon and could be found in any level of government—state, federal or local. "And, he said, "in 99.9 times out of a hundred, it can be worked out."

In other remarks, Connally said the United States in order to remain number one in economic and military power it had to keep its miliitary position strong. "This means our weapons system must be upgraded consistently," he said.

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Saxbe 'relatively sure' about selection as Attorney General

by EUGENE V. RISHER

WASHINGTON (UPI)--Sen. William B. Saxbe of Ohio, one of the administration's sharpest critics among Republicans, met with President Nixon for an hour Wednesday and emerged to say he was "relatively sure" he would be named attorney general.

Saxbe, 57, who is retiring from the Senate at the end of his first term next January, told reporters in the White House driveway he had received assurances during the meeting that Nixon's actions relating to the Watergate scandal "were proper."

He indicated that only routine background checks remained before official announcement of his nomination to succeed Elliot L. Richardson, who resigned along with Deputy Attorney General William D. Ruckelshaus on Oct. 20 when both refused to obey Nixon's order to fire special Watergate prosecutor Archibald Cox.

"I'm relatively sure," Saxbe said, when asked if he was getting job. But he added: "I don't want to be presumptuous and say I've got it in the bag."

Saxbe once said of the President's statements on Watergate: "He is like the man who plays piano in a house of ill-repute and says he doesn't know what's going on upstairs." And of Nixon's orderto bomb North Vietnam in 1972, he said the President "must have taken leave of his sense."

Saxbe told reporters these and other tart remarks of his were mentioned during the meeting with Nixon, which the senator described as open and candid.

"I'm an outspoken guy," he said. "I told him, 'you'll have to take me warts and all'."

Returning to his office later, Saxbe said: "Some of my so-called friends brought those things to his attention. The doubts I expressed about Nixon's actions were doubts expressed by a lot of people. " But he said he did not believe it would prevent his appointment.

Saxbe said he had no candidate in mind for Cox' successor as special prosecutor, an appointment that Acting Attorney General Robert H.Bork is supposed to announce this week.

As for the new prosecutor's independence, Saxbe said: "I'm satisfied any necessary information will be made available from presidential tapes and documents."

Saxbe said he questioned in Nixon's presence why the "woodenheaded situation" surrounding the Cox firing had arisen, and that Nixon replied that "things moved fast and it just happened that way."

Saxbe said he asked Nixon about allegations of presidential wrongdoings in the Watergate scandal, and was fully satisfied with the President's answers. "I think I have a pretty good feeling for these things," he said, "and I believe him."

"We went right to the basics of the Watergate matter," Saxbe said. "I'm convinced he was not a party to the monkey business."

He said Nixon assured him of independence should he take the job, and that he looked forward to the challenge of restoring morale at the Justice Department.

"It's a challenge--a challenge I would like--a personal job, a mangement job," he said.

Saxbe served two terms as attorney general of Ohio before he was elected to the Senate in 1968. He previously had served in the state House of Representatives from the age of 29, becoming majority leader and then speaker.

Contempt of court charges argued against Chicago 7

Chicago UPI - Attorney William Kunstler argued Wednesday that many of the charges of contempt against the Chicago Seven and their lawyers are based on "hearsay" entered in the court record by the judge who heard the 1969-70 conspiracy trial.

In a count-by-count attack on the 52 contempt citations, Kunstler charged repeatedly that the day-by-day transcript of the tumultous trial did not support specific allegations cited by U.S. District Court Judge Julius J. Hoffman when he sentenced the nine men for contempt.

Prosecutor Royal Martin told U.S. District Court Judge Edward Gignoux that Kunstler's attack on the 23,000 page transcript was a "smokescreen to mollify the conduct of the defendants."

"I find the attempts of Mr. Kunstler to justify the conduct of these defendants, and their repeated villification of the judge, incredible, " Martin said.

Hoffman originally sentenced the seven antiwar demonstrators, Kunstler and the other trial lawyer, Leonard Weinglass, to prison terms ranging from 2 months 18 days to 4 years 13 days for repeated courtroom outbursts and other conduct that he found contemptuous.

A federal appeals court set aside the convictions, ruling that the nine men were entitled to separate trial by a judge who had not presided at the original preceedings.

The government dropped more that 100 of the contempt charges, leaving only 52 which Assistant U.S. Attorney Gary Starkman said "show on their face clear and direct contempt."

Kunstler argued Wednesday that many of the original citations were dismissed "will-nilly by the government" and those that remain shoud be thrown out by Gignoux.

He argued that the failure of the defendants to rise "in the customary manner" cited by Hoffman - may have been "misbehavior" but that it was not "material obstruction" and therefore not contemptuous.

Such citations were based on "Hearsay evidence" inserted into the court record by the judge, Kunster contended. There was nothing the court record of any order to rise and even if there were such orders "there was no proof they were loud enough to be heard," he said.

Kunstler said defendant Jerry Rubin's remarks, "You are a Fascist, your honor," and "everything in this court is bull--," were not obstructive behavior.

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Lost 1 student ID 1972-73. If Found, please call Tom Mendoza. 287-2581.

PERSONALS

There's a girl far away in Big D,
As nice and as sweet as can be.
Her Birthday is here
And we're sorry we fear,
She's over the hill at twenty.
Happy Birthday, R oo mie!

'Luther, Luther, Luther'-- young, but aging quickly

by Sam Yannucci

The Notre Dame-Southern California game Saturday was filled as it always is with pagentry, sky-high emotions, and tradition. All afternoon traditional cheers such as "HERE COME THE IRISH, HERE COME THE IRISH" and "GO IRISH, BEAT TROJANS" rang throughout the house that Rockne built.

One new cheer, however, began on USC's first offensive play and was chanted hysterically several more times during the course of the game. Instead of the usual chant "DEFENSE, DEFENSE" the fans were screaming "LUTHER, LUTHER, LUTHER."

Of course, LUTHER is none other than Notre Dame's outstanding freshman strong safety Luther Bradley. The chant may have been new to Notre Dame Stadium and to some of the Irish fans, but recognition is anything but new to "young" Bradley. At Muncie Northside High School Luther was Mr. Everything especially for the football team.

"In high school, I played quarterback for a year, and then last year both offensive and defensive halfback." His all-state honors attracted many a recruiter's eye from across the country. "I didn't know enough about Notre Dame," Luther says, "but when I came for a visit the guys were super and everybody really seemed into the school and the tradition. It seemed like a good place to be."

High school at Muncie is quite a bit removed from college life at Notre Dame especially if varsity football is an integral part of your daily routine. "I'm adjusting to it slowly," he says, "It hasn'tbeentoo bad...just the usual things.

I haven't had time to write any letters."

If adjusting only slowly to college life here, Bradley surely didn't waste any time adjusting to Notre Dame football. "I knew it would be tough. This summer I worked out pretty hard with the weights and did a lot of running. You need," he added, "more speed, quickness, and strength to play college football."

Luther Bradley

It seems that the 6-3, 195 pound Bradley knew exactly the right things to work on. After one week on the freshman team and another on second team, he became the first freshman this fall to crack the starting line-up. In ND's first six games he has been a superman--breaking up passes, recovering fumbles, and snagging five enemy passes.

He attributes part of this success to his partner at safety Mike Townsend. "They shy away from Mike (who intercepted 10 passes last year) and try to test me out." USC opened the game test Luther and he passed it as he has passed the five previous tests-with flying colors. "What can you say," says Luther of the SC game, "We all played together."

As big a thrill as it was, beating old nemesis Southern Cal and halting the nation's longest unbeaten string at 23 games, Luther insists the encounter with Purdue at Ross-Ade Stadium was even more of a thrill. "It was the first time playing on national T.V. and I was really excited."

On opening day, however, Bradley experienced a different type of emotion. "Excited!! I was so nervous and so scared that I didn't want to come out of the tunnel." Although this fear has subsided another still exists. "I'm always afraid of getting beat long. You know, it makes you look bad."

Getting beat is the one thing this greying freshman doesn't have to worry about. Luther's five interceptions makes him the team leader and leaves him only a half dozen interceptions away from breaking Mike Townsend's 1972 record. "I don't think about it...if it comes it comes." But the way Luther jokingly leaned back on his desk chair, flexed hischestmuscles and grinned with a sparkle in his eye, suggests that he may be thinking along different lines. "It would be nicer," he added, "to be 11-0."

Right now Luther's taking them one at a time, and that means Navy this week. "Glenny (the Navy QB) is a good passer. Last year he completed 17 passes against us. It gives us something to think about."

The "old man," as Mike Townsend nicknamed him, may be thinking just of Navy, but his defensive prowess will undoubtedly carry over into the Pitt, Air Force, and Miami games. There will be Luther Bradley batting down intended passes and making circus interceptions as the stadium rings with "LUTHER, LUTHER, LUTHER."

Bradley picks off one of the five interceptions he has so far this year.

Greg Corgan

Air Force tix on sale next week

Student Tickets for the Air Force football game on Thanksgiving Day will be available next week. Notre Dame and St. Mary's students desiring tickets must report to the ticket windows on the second floor of the ACC with their season tickets and ID's. Those students whose tickets were donated for use by the underprivileged children during the Navy game must present the receipts and their ID's.

Seniors are to report topurchase tickets on Monday, November 5; Juniors, Graduate and Law students on Tuesday, November 6; Sophomores on Wednesday, November 7; and Freshmen on Thursday, November 8. Married students desiring tickets for themselves and their spouses are to report to the ACC on Friday, November 9.

Notre Dame undergraduate students will not be charged for the ticket, while for the Graduate and Law students, as well as the spouses of married Notre Dame students, the charge will be $3.00. Saint Mary's students must pay $5.00 for their tickets to the game.

One student may present four tickets and ID's to obtain adjacent seats.

OBSERVER SPORTS

Ruggers stay unbeaten

by John Turchan

Friday night's game against John Carroll University was the toughest encounter the Rugby team has had this season. However, the Notre Dame team continued its unbeaten streak with a hard-earned 16-0 victory.

Until Dave Simpson's 20-yard drop kick made the score 3-0 the Irish kept the pressure on John Carroll but were unable to score.

Aggressive running and blocking paid off in a Irish drive which saw Henry Clark plunge over for the score.

The final score of the game was set up on a booming kick by the Irish fullback Jeff Warnimont. When John Carroll's fullback attempted to kick the ball back it was batted down and picked up by Eddie Fishburn. Fishburn decked one player and scampered in for the score. The two point conversion by Ed O'Connell was good.

Bob Olsen, team secretary, was particuarly pleased at the turnout Friday night. "The size of the crowd definitely helped psyche me up." Olsen added, "the people who watched the game saw rugby at its best, not a high scoring game, but two balanced teams playing well-executed rugby."

The Notre Dame rugby team's next home game will be on November 17 at Stepan fields.

IH Hockey

Interhall hockey rosters must be submitted to the Interhall Athletics Office, ACC C-4 by Friday, November 2. The roster is to be composed of aminimum of twenty players who represent the same hall.

Requirements include a $20 team fee to help pay the officials, and the players' furnishing their own skates, sticks, and helmets.

Extra Points

Poor Seymour

The party was a gala event. For it was a festive occasion. Notre Dame had just beaten Southern California, and the Irish fans, in such fashion as they are noted for, celebrated wildly.

The drinks flowed freely, and spirits, already high from the afternoon's triumph, rose even higher. The conversation turned from Eric Penick's 85 yard touchdown run to hopes of an undefeated season, a major bowl appearance, and even quite possibly a national championship. Expectations were high indeed.

As the party approached fulltilt, and the chants of "We're number one" grew louder and louder, a short, stocky man with neatly combed greying hair and rimless glasses walked into the room. He was dressed in a bright red suit, but it was quite dishelved looking, as if perhaps, a herd of Texas longhorns had trampled him on their way to slaughter.

The gentleman's name was Seymour Incorrectly; those who knew him called him S.I. Now, out of courtesy, Seymour had been invited to this friendly get-together, and though it was so, the many Irish fans present had hoped that he would not make an appearance,but rather stay undercover. Although S.I., was well-respected, and his opinions sought, he was notorious for making the "Big Misktake." In fact he was more infamous for that, than as he himself claimed Ara (the Irish idol) was for losing the "Big One."

It seemed, not only to Notre Dame fans, but tosports fans all over, that whatever Seymour spoke of eventually turned out for the worse, no matter how promsing his prediction. And if he had a picture, a full-size color picture with Seymour Incorrectly printed at the top, and a small caption written on it, the situation was hopeless. It was as dangerous as voodoo, or, to L.S.U., as a Tiger hunt.

S.I. was noted especially for his most recent blunders. He was banished from the state of Texas afterpredicting that the Longhorns would in 1973 reign as National Champs. Miami and Oklahoma contributed to his downfall, and he might have returned the favor had the Sooners been eligible and the Hurricanes a little more promising.

but it was not so, and Seymour turned to SC. He was at full force for th is one, a full-color picture of A.D. Davis with Seymour Incorrectly again printed in big bold letters at the top, and of course, the caption, "Best of the Best." Well, so much for A.D.. and SC.

Everyone at the party of course remembered the fateful predicition in 1971 that Notre Dame would be number one. And of course they couldn't forget 1970 when Seymour produced a magnificent color picture, divided into three separate sections complete with three different captions of Ohio State, Texas, and Notre Dame. Naturally, Nebraska won the National Title.

They also looked with glee at '72 whenL.S.U. was picked to win it all, and Tiger skins quickly became "in vogue." Then during the '73 off-season, the fans recollected how S.I. was busy with many more color pictures including shots of Wilbur Wood, and Ron Blomberg and Bobby Murcer. Needless to say both the Sox and the Yanks consequently bit the dust. And the whammy continued. Pro football was next, and as expected, as had been true year after year, Seymour made his picks and things quickly went in the opposite direction.

So, as S.I. entered, the room fell silent. The fans became still, and the air was filled with a sense of fateful expentancy. Each and everyone of them was hoping, but it was not to be, for as Seymour stepped out to the middle of the room, he unfolded a brilliant color photograph complete with big yellow letters, his trademark: **Seymour Incorrectly**. And of course there was the familiar caption, and to the horror of the Irish fans it read: "Notre Dame stacks up USC." As if that weren't bad enough, pictured were defensive standouts Ross Browner, Drew Mahalic, and Gary Potempa, prompting one fan to remark, "They'll probably all get a knee."

But actually the Irish fans were not so shocked nor nearly so horrified, for they believed in their team; they had confidence. They knew that no matter what Seymour had to say or what pictures to show, the Irish were number one. It would take a lot more than the S.I. jinx to bring down the Fighting Irish.

Oh, by the way, perhaps you're wondering why poor Seymour has not been banished from all of society. Well it seems he's not always wrong, and he's certainly not a bad sort. In fact there's always those UCLA pictures he has, and what about those Miami Dolphin photos. He isn't all bad.

Six down, five to go.