

# The Observer

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an independent student newspaper serving notre dame and saint mary's

TUESDAY, APRIL 10, 1979



United Airlines remains on strike, which could put a crimp in students' Easter travel plans.

## University opens defense in Danehy trial

by Mike Shields  
News Editor

KNOX, IN - Counsel for both the University and Professor James Danehy entered depositions and examined witnesses before Judge Marvin McLoughlin in the Stark County Circuit Court here yesterday when Danehy's suit against the University came to trial.

Danehy, who alleges that Notre Dame has "no rational retirement standards fairly applied to all faculty members," sued the University in 1977 after his contract was terminated when he turned 65.

He contends that a significant number of faculty members are allowed to continue in full-time positions after reaching 65 years of age.

The University, however, maintains that, at that time, all professors became Emeritus at age 65 as a matter of policy. Their contracts are then reviewed on an annual basis by their department's Committee for Appointments and Promotions (CAP).

Danehy, Chemistry Department Chairman Jeremiah Freeman and former-Provost James Burtchaeff testified during the trial. Paul Kusbach represented Danehy, while Thomas L. Murray and University Counsel Phillip Faccenda defended Notre Dame.

Kusbach centered Danehy's case on three points: whether Notre Dame has a mandatory retirement policy; how correct and consistent the University's procedures are in dealing with requests for re-appointment (such as Danehy's); and whether these procedures are in keeping with the Fourteenth Amendment, which calls for due process of law.

Murray maintained that retirement is mandatory for faculty members who reach 65 years of age, that due process was followed in Danehy's case, and that the dispute was a simple contract case.

Danehy testified in his own support that he did not anticipate retiring when he reached 65 because he felt he was qualified to continue teaching and research, although he granted the defense's contention that he realized the intent of the policy when he signed his contract with the University. Much of the debate on this topic centered around the wording of the retirement clause in the Faculty Handbook which reads that faculty members will "ordinarily" retire on the first day in July following their sixty-fifth birthday.

The plaintiff also introduced the examples of two professors, Milton Burton and William Hamill, who continued full-time in the employ of the University well after their sixty-fifth birthday. The defense countered with the fact that these men were not retained as teachers, but as researchers.

These two cases dominated the discussion of the consistency of Notre Dame's retirement policy. The policy states that the CAP of a faculty member's department will review all applications for appointments and re-appointments, but Freeman testified that Burtchaeff was never reviewed, although he remained a full-time faculty member after his sixty-fifth birthday. Hamill was reviewed only once after he turned 65, although he also continued full-time

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## In Tanzanian battle

# Amin calls on fresh troops

NAIROBI, Kenya (AP)Fresh Ugandan troops loyal to Idi Amin took up new positions east of Kampala yesterday after Tanzanian forces blunted a last-ditch Ugandan counter-attack in bloody fighting south of the city, anti-Amin exiles said.

Amin's government announced, meanwhile, it had executed four "foreign mercenaries," sources reported. But the victims were believed to be two West German and two Swedish journalists who tried to slip into Uganda by boat across Lake Victoria.

The invasion force of Tanzanian troops and Ugandan exiles has been poised at Kampala's southern and western outskirts for the past week.

Exile sources, quoting eyewitnesses, said Ugandan reinforcements led by tanks and armored cars launched an assault against the invaders over the weekend on the road to Entebbe airport, 21 miles south of Kampala.

But the invaders held off the attack and inflicted the heaviest casualties of the war on the pro-Amin forces, one exile said.

Like other battle reports from the largely secret war, this one could not be easily verified.

Kampala residents reported hearing a series of heavy explosions late Sunday and early yesterday near Amin's lodge in the capital, the exiles said. The Ugandan strongman is reported to have set up a new headquarters in Jinja, 50 miles to the east, though he is said to have made several forays into Kampala.

He was reported seen in Kampala Sunday driving a sports car. Exiles said sources close to the Ugandan postal system told them Amin had placed a call to Tripoli and spoke with family members who fled to the Libyan capital.

Residents reported spotting Ugandan reinforcements yesterday camped in a shopping center six miles east of Kampala on the road to Jinja, the exile sources said.

One recent refugee from the fighting said yesterday that Amin had little time left.

"His army doesn't have any fuel, there's little ammunition and a shortage of food," British civil engineer John Payne, 44, told reporters after arriving in London.

He said he expected Amin to make a last stand at Jinja in the next five days but "he can't survive any longer."

The invasion force is estimated to number 7,000 to 12,000

men. Amin is believed to have no more than a few thousand loyal troops left.

Libya's leader, Col. Moammar Khadafy, had sent an estimated 2,600 soldiers to bear the brunt of the defense work for fellow Moslem Amin, but the last of the Libyan troops pulled out of Kampala over the weekend, apparently to fly back home.

The Tanzanian-Ugandan war erupted in October when Amin's troops invaded north-west Tanzania and seized 710 square miles of territory. They were driven back across the border and have since been pursued by the Tanzanians and Tanzania-based Ugandan rebels.

# Danehy vs. Notre Dame: A Summary

by Mark Rust  
News Editor

KNOX, IN - In the case of James P. Danehy vs. Notre Dame the University finds itself in the peculiar position of defending both their non-appointment of the professor Emeritus and their policy on retirement in general. The case is particularly interesting because it resembles many cases now before the courts, cases that have in the last year sparked a renewed interest in the federal mandatory retirement age. Yesterday in Knox, a small rural town 55 miles southeast of the campus, both sides appeared confident. "It's our case," said a bouyant Thomas Murray, University Counsel, "it's very clear." Paul B. Kusbach, Danehy's attorney, was guardedly optimistic. "I don't want to say anything to jinx the case," he said, smiling.

Both sides, in their examination of witnesses and in their summaries, tried to score points with three major arguments. The plaintiff, Danehy, alleged that the University 1) does not have a "mandatory" retirement policy, 2) does not have a "clear and consistent" procedure for considering yearly re-appointments past the age of 65, and 3) this lack of consistency violates the 14th amendment (due process). The defense countered that the University 1) does, in fact, have a "mandatory" retirement policy; 2) did follow due process; and 3) considers the Danehy affair a "simple case of contract law."

A summary of the arguments and evidence follows.

### DANEHY:

Kusbach called to the stand both Danehy and Fr. James Burtchaeff, former University provost, to show that the University has an unclear policy

toward retirement. When Danehy signed his first employment contract in 1954 the faculty handbook stipulated that a professor, upon reaching the age of 65, "shall retire." In 1972, when Danehy signed his last contract, the wording had been revised by Burtchaeff to read "a faculty member ordinarily retires" at the age of 65. Kusbach contended that this discrepancy represents an "unclear" policy toward retirement, that it suggests the strong possibility of continued employment after age 65 by a willing professor with established credentials.

Kusbach closely questioned Burtchaeff on this point. Burtchaeff had sworn in a deposition prior to the trial that the University has a "flexible" policy towards retirements. Kusbach allowed Burtchaeff, while on the stand, to qualify the statement: "I would say that by and large...the arrange-

ment (at the University) is more reasonable than Columbia Broadcasting System's," Burtchaeff said. Burtchaeff had earlier referred to CBS as an example of a system with a "hard and fast" policy on retirement.

Kusbach then tried to show that, given Danehy's belief that he could and would be retired, Danehy applied for reappointment and met with unfair and arbitrary standards of consideration. Kusbach used Profes-

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This is the last Observer issue before Easter. Publication will resume Wednesday April 18.

## Nicaraguan rebels renew attacks as Somoza vacations

MANAGUA, Nicaragua (AP)--Leftist guerrillas battled government troops in northwest Nicaragua for a second day yesterday, military sources reported. While President Anastasio Somoza vacationed with his children in the United States. The government claimed the Sandinista rebels had fled back across the Honduras border. But the Red Cross in Managua said its office in Esteli, in the heart of the battle area 80 miles north of the capital, reported continued heavy fighting yesterday.

## Weather

Sunny and warmer today with highs in the upper 40s. Clear and cold tonight with lows in the low to mid 30s. Increasing cloudiness tomorrow with a chance of rain late in the day. Highs in the low to mid 50s.

# Campus

tuesday, april 10

12-4:30 pm--RECRUIT INFO, on the volunteer services program in houston, VOL. SERVICES OFFICE

1 pm--BASEBALL, nd vs. valparaiso, KLINE FIELD

3:30 pm--SEMINAR, "impact of environmental regulation on power plant design," dr. d.a. leone, sargent & lundy engineering, 203 ENGR. BLDG.

3:45 pm--FORUM, "revolutionary subordination in the politics of jesus," prof. john h. yoder, christian lawyers forum, 105 LAW BLDG.

4:30 pm--SEMINAR, "the structure of the human red blood cell membrane: a colorimetric study," prof. philip lowe, purdue univ., 278 GALVIN

4:30-5:30 pm--RECRUIT INFO, vol. services houston program, SMC DNG. ROOM

6:30 pm--MEETING, alpha phi omega, ZAHM BASEMENT

7, 9 & 11 pm--FILM, "annie hall," ENGR. AUD., \$1

7 pm--LECTURE, "sexual minorities," rev. paul shanley, boston archdiocese, spon. by stud. union and gay students of nd, MEM. LIB. AUD.

7 pm--MEETING, d.c. club members, FARLEY BASEMENT

7:30 pm--READING, recent poetry & fiction, by prof. sonia gernes, nd, MEM. LIB. LOUNGE

wednesday, april 11

12:15 pm--SEMINAR, "autoimmune disease," dr. john j. gavin, miles laboratories, 278 GALVIN

3:25 pm--SEMINAR, "the food industry--a challenge for chemical engineers," dr. ken valentas, pillsbury co., 268 CHEM. ENG. BLDG.

4 pm--LECTURE, "the best defense is a good defense - towards a marxist theory of labor unions," dr. david gordon, HAYES-HEALY AUD.

4:20 pm--COLLOQUIM, "nuclear safety: the three-mile island syndrome," 219 ROTC BLDG.

5:15 pm--FASTER'S MASS, world hunger coalition, WALSH CHAPEL

6:30 pm--MEETING, sailing club, 204 O'SHAG

7 pm--WORKSHOP, life & career planning, with paul winum, 400 ADMIN. BLDG.

7:30 pm--LECTURE, "how to view an art exhibit," michele fricke, moreau gallery director, CARROLL HALL

8:15 pm--CONCERT, nd woodwind quintet, MEM. LIB. AUD.

thursday, april 12

12 pm--LECTURE, "japanese family legislation and policy: the problem of the aged in japan," prof. takeji kamiko, osaka city univ., MEM. LIB. LOUNGE

3 pm--BASEBALL, nd vs. bethel college, KLINE FIELD

4 pm--SEMINAR, "triplet energy migration in solution," dr. j.c. scaino, nd, CONFERENCE RM. \* RAD. RES. BLDG.

## ... Summary

[continued from page 1]

sors William Hamill and Milton Burton as examples of two chemistry professors who continued -- without review -- in the full-time employ of the University after their 65th birthday. He also closely questioned Professor Jeremiah P. Freeman, Chemistry Department chairman, in attempting to show that the committee, in reviewing Danehy's application for reappointment, was remiss. Under oath, Freeman acknowledged that the committee "circulated" a three-page letter written by Danehy which "stated (his) case." Freeman also acknowledged that Danehy was never asked to fill out an application for reappointment, which Freeman called, in a letter to Burtchaell, a "silly formality." Freeman also testified that there exists "no written procedure other than the faculty handbook" for eval-

uating professorial reappointments.

NOTRE DAME:

Murray, in cross-examining Burtchaell, tried to show that the University did, in fact, have a standard retirement policy under which all professors are expected to retire at 65. The discrepancy between the 1054 and 1972 versions of the faculty handbook -- "shall retire" as

opposed to "ordinarily retire" -- was small, Murray claimed. The defense tried to show, through a deposition that traced the etymology of the word "ordinarily," that the standard usage of the word implies a sense of order, something to be expected. Phillip Faccenda, also a University counsel, sug-

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## CAMPUS PRESS

Positions open for 2 printers and a secretary for 1979-80 school year.

## PAID POSITIONS

Call Diane at 7920 or office at 7047 printing experience desired but not necessary

## Erratum

In yesterday's edition, *The Observer* mistakenly reported that events on Saturday of An Tostal will be held on Cartier Field. These events will be held on the fields around Stepan Center, and on the field north of the D-1 parking lot across Juniper Road from Stepan. *The Observer* apologizes for this error

## The Observer

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# Administration accepts Reid's judgement on FLOC referendum

by Brian McFeeters

"The administration will accept Reid's judgment on the value of the referendum," Vice President for Student Affairs Fr. John Van Wolvlear told members of the Farm Labor Support Committee yesterday, referring to the planned referendum of the Nestle's and Campbell's boycott.

The committee is working to gain support at Notre Dame for the Farm Labor Organizing Committee (FLOC) of Ohio, which represents migrant tomato pickers. The FLOC is sponsoring a nationwide boycott of Campbell's and Nestle's to persuade the two cannery owners to negotiate contracts with workers. The canneries now claim no responsibility for the migrant workers.

The Committee had been uncertain about administration cooperation with this month's referendum and had received no assurance from the director of Student Activities, John Reid, that the boycott would be implemented if approved by the students.

"Our position is that if the students back it, we'll support the boycott," Van Wolvlear said to the fifteen committee members during yesterday's lunchtime meeting.

He explained that Reid is responsible for deciding whether the voters have been well enough educated on the issue to make a just decision.

Van Wolvlear also clarified administration policy towards successful referendums such as the current campus-wide boycott of Nestle's products, saying, "The referendums will be reviewed for effectiveness each year, but they may be renewed without being brought to a vote."

## Tech review hosts convention

The Notre Dame Tech review hosted the 1979 Magazine Association Convention this past weekend. More than 120 students and faculty from around the United States attended.

The Tech Review won a first place plaque for Best Technical Article by Ed Anderle, and received Honorable Mention for Best Single Editorial by Mark Meyer.

"The convention was a great success and we're looking forward to next year's convention in Colorado," Debbie Bieber, convention coordinator, said. "Professors Robert A. Dreves, James Daschbach, Patrick Horsbrugh and Dean Edward Jerger deserve special commendation for their participation."

"The Tech Review received many compliments and ovations from many of the delegates," Bieber said, "and this was made possible by the hard work of magazine members

Laura Drda, Maureen Finnegan, Doug Bonanomi and faculty advisor Stuart McComas."

Committee members Mary Hawley and Rick Corona questioned Van Wolvlear about University support for the Ohio migrant workers on the basis of "Catholic ideas and values," rather than as a strict issue of student support.

"My job is to be a representative of the students," Van Wolvlear explained, "so it wouldn't be right for me to state my own support of disapproval of the boycott referendum."

He added that the committee would do well to seek administration support "from the top down," by presenting their information to University President Fr. Theodore Hesburgh.

I think you'll find an open and Christian attitude towards your efforts within the administration," Van Wolvlear said.

"Many of our priests have worked with Mexican Americans in Texas, so they're familiar with the migrant issue."

Van Wolvlear said he is very much in favor of the pledges proposed by the committee in which students would agree to "bring the boycott home" this summer.

He also suggested that the committee approach student government and other organizations on campus for support and help in publicizing the referendum.

The committee told Van Wolvlear that they plan to begin petitioning for the signatures required for a referendum soon after Easter break, and will distribute informational leaflets to residence halls this week.

## Tribal gangs murder Moslems in southern Chad

PARIS (AP) - Marauding tribal gangs in southern Chad, aided in some cases by mutinous troops and police, have killed at least 10,000 persons in the last month - mostly Moslem shopkeepers and their families - according to reports reaching here yesterday from missionaries in the capital of N'Djamena.

Detailed reports from Jesuit mission stations said 4,000 to 5,000 persons were murdered in Moyen-Chari province and 5,000 to 6,000 in West-Logone province in the first two weeks of March.

If the missionary reports are correct, it would be the worst tribal slaughter in Africa since 100,000 members of Burundi's Hutu tribe were massacred in 1972 by the Tutsi tribe, their traditional rivals.

Sources at the missionary headquarters in N'Djamena said the tribal and religious slaughter resumed in the southern provinces on Friday, following several weeks of calm. There was no exact count of how many more were murdered in the latest outbreaks of violence.

The religious violence follows civil war in Chad between forces loyal to former President Felix Malloum and various Moslem factions. Malloum, a southern Christian, was replaced by Goukouni Queddei, tribal chief of the strict Islamic Toubou tribe of northern Chad, as part of a peace plan negotiated last month in Kano, Nigeria.

It was the first time since the end of French colonial rule in 1960 that there has been a non-Christian head of state in Chad, a landlocked Sahara nation of 4.2 million in north-central Africa, nearly twice the size of Texas.

Following appointment of Queddei as interim president, the sources said there was panic and anarchy among the Christians and animist worshippers in the south, amid rumors that the new regime in N'Djamena would force their conversion to Islam. Gangs of aroused southerners turned against the local Moslem minority, many of whom are

merchants or moneylenders, looting their shops after killing the owners and their families.

In Paris, a French Foreign Ministry spokesman confirmed yesterday there had been widespread slaughter, but he could give no precise figures.

## UCLA holds Summer Session

For students who are interested in attending summer school, UCLA has opened its 1979 Summer Sessions program to all students.

This year the University will offer more than 400 special programs and courses spanning 50 subject fields from the physical, natural and social sciences to the arts and humanities and other professional fields.

The two six-week sessions, beginning June 25 and August 6, are open to all students. Out-of-state students do not have to pay non-resident fees. However, enrollment in Summer Sessions does not constitute admission to the University.

Summer Sessions students have an opportunity to earn degree credit, take classes otherwise unavailable, enhance career prospects or pursue a particular interest for cultural or intellectual enrichment.

A special appeal of Summer Sessions is that most classes are smaller, allowing additional time for interaction with faculty and other students.

Highlighting the summer schedule are programs in Asian performing arts, design, theater arts, English literature and exposition, kinesiology, folklore and mythology, and motion picture/television.

For more information and a free Summer Sessions catalog, write to the Office of Summer Sessions, UCLA, 1254 Murphy Hall, 405 Hilgard Avenue, Los Angeles, CA 90024.



An Tostal will begin shortly after Easter break. The chariot races are always a popular event.

Any Juniors and Seniors-to-be, interested in positions as officers of the **1979-80 Pre-Law Society** should pick-up application forms in Rm. 101 O'Shag.

**Scholastic**  
 applications are now being accepted for all 1979-80 EDITORIAL BOARD positions  
 (new position: SMC Editor)  
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## To benefit Muscular Dystrophy

# ND—SMC to hold marathon

by Judy Curlee

A 24-hour dance marathon will be held at Stepan Center on April 21. Sponsored by Angel Flight and Circle K, the event will benefit Muscular Dystrophy. There will be twelve area high schools represented, and ideally, significant participation by students of the Notre Dame-Saint Mary's community. The key to reaching the \$20,000 goal is involvement.

According to Mary Melley, co-chairman of the Marathon, a great deal of work has gone into the plans since last December, when the idea was first suggested. Two bands have already been booked, and it is hoped that eventually four bands will provide music for the event. Disco Party Productions will also be sending a disc jockey and a sound crew. Additional sound work will be provided by Electro Voice, the sound equipment group that handled the Collegiate Jazz Festival last weekend. She also noted that the rock station WRBR will be covering the marathon live every hour, from 10 a.m. on Saturday until its finish at 10 a.m. on Sunday.

Norm Burggraf, Circle K president, mentioned other events that will be taking place at Stepan during the marathon. He noted that a carnival atmosphere is planned with backgammon tournaments, basketball shooting contests, and dunking of campus personalities. Prizes are being offered by local merchants.

Two campus service organizations are planning the event. One of them, Circle K, which is affiliated with Kiwanis International, has met with success this year in raising money for charities. Their Mardi Gras booth cleared \$1100 and their Swim-a-Thon raised \$600 for the American Society. Angel Flight, the other sponsor, is a voluntary service group associated with Air Force ROTC, but two-thirds of its members are from outside of ROTC. Melley said she was contacted about the possibility of Angel Flight organizing a dance marathon for Muscular Dystrophy after her group's success during the Jerry Lewis Telethon.

According to Melley, "our group turned in the largest contribution for the Telthon - \$800." She also stressed the

importance of informing students about this very worthy charity and making them aware that their contributions are spent wisely by the Muscular Dystrophy Association.

Students are encouraged to participate as dancers and sponsors. Tips on pacing yourself, as well as food, will be provided for the dancers.

Melley also hopes that dorms will challenge each other in the Marathon. She added that sections may also sponsor dancers.

"We are looking for a very active response, so please dance so others may walk," Melley remarked.

Aspiring dancers and sponsors are asked to contact Mary Melley, co-chairman, at 3791, Tom Ahern 1472, or chairman Mark Skiba at 288-0931.

## Tornadoes sweep South; Ice storms hit Michigan

(AP)—Devastating tornadoes skipped across the South yesterday while unrelenting frigid weather shrouded parts of New England with a half foot of snow and glazed much of Michigan with heavy ice that snapped power lines like gunfire and darkened 180,000 homes.

At least five persons were killed on icy highways in Michigan, and police said downed power lines were sparking numerous fires in homes and garages.

Police and National Guardsmen cordoned off the south Arkansas town of Camden to keep out looters and sightseers where a Sunday night twister cut a five-mile swath, wrecking 75 homes, an elementary school and a shopping center and injuring 27 persons, one critically.

"The damage is tremendous," said Jerry Bradshaw of the Arkansas State Police. "The estimate this morning was running about \$10 million to \$15 million."

"Where it hit it really leveled everything."

Tornadoes spawned by violent thunderstorms moving from the lower Mississippi Valley into Alabama and Georgia also injured 19 other persons elsewhere in Arkansas and touched down in Louisiana and Mississippi.

In Detroit, where all schools were closed and most of the city was without power, overworked utility company crews were calling for help from other cities.

Seven houses caught fire in Royal Oak. In suburban Livonia a car burst into flames when a power line fell on it. In Grosse Pointe Park a 60-foot tree ripped up part of the street when it fell atop a ranch-style home.

It was the second storm to clobber Michigan within 72 hours. Gale winds raked the state last week, leaving four dead and 200,000 homes without lights.

Up East, in the meantime, the unseasonable storm dropped more than 5 inches of snow in parts of New York state and northern Connecticut and a mixture of rain, sleet and snow fell from northern Indiana into central New England.

Out in Lake Erie, northwest of Ashtabula, Ohio, bad weather hampered efforts to free the 315-foot Canadian freighter Labrador which went aground following a violent

storm Friday. The freighter was abandoned after its cargo of grain shifted and it started taking on water.

## SMC holds class, ball elections

Elections for Saint Mary's class and hall officers will be held on Wednesday, April 11. The polls will be open from 10-5 p.m. in Lemans Lobby and from 5-6 p.m. in the LeMans side of the dining hall. All students are encouraged to vote.

Absentee ballots may be obtained by contacting Election Commissioner Mary Mullaney at 4453.


## ND Quintet to present recital

The Notre Dame Concert Series will present the Notre Dame Woodwind Quintet in a recital of chamber music for winds at 8:15 p.m. tomorrow in the Library Auditorium. The recital, for which the quintet will be joined by William Cerny, piano, is open to the public without charge.

The Notre Dame Woodwind Quintet is made up of faculty members and teaching associates in the Notre Dame music department who are also prominent in area musical organizations: Eiko Ito Papach, flute; Melissa Bohl, oboe; Tony Spano, clarinet; James Todd, horn; and Gary Papach, bassoon.

Tomorrow's program includes four works representing a variety of styles and periods. William Cerny, chairman of the Notre Dame music department, will join the quintet in a performance of the Sextet for piano and winds by Gordon Jacob, a 20th century English composer. Beethoven's Quintet in Eb, arranged from the sextet, op. 71 for winds, is from the Classical period.

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**HAPPY BIRTHDAY, WANDA JUNE**  
by KURT VONNEGUT, JR.

## LITURGIES OF HOLY WEEK 1979



Sacred Heart Church

Notre Dame Residence Halls

### WEDNESDAY

7:15 PM Tenebrae

### HOLY THURSDAY

9:00 AM Morning Prayer  
5:00 PM Evening Mass of the Lord's Supper

4:30 PM Sorin  
5:00 PM Dillon  
7:00 PM Morrissey  
7:30 PM Keenan-Stanford  
8:00 PM Flanner

### GOOD FRIDAY

9:00 AM Morning Prayer  
3:00 PM Celebration of the Lord's Passion

3:00 PM Grace  
3:15 PM Keenan-Stanford  
7:00 PM Morrissey

### HOLY SATURDAY

9:00 AM Morning Prayer  
11:00 PM The Paschal Vigil

10:00 PM Keenan-Stanford  
11:00 PM Dillon

### EASTER SUNDAY

9:15 AM  
10:30 AM Solemn Liturgy of Easter Morning  
12:15 PM  
7:15 PM Vespers

9:45 AM Fisher  
10:30 AM St. Edwards  
10:30 PM Zahm  
10:30 PM St. Edwards  
10:30 PM Grace  
11:00 PM Dillon

Death toll reaches 86

# Iran continues executions

TEHRAN, Iran (AP)-Six more "enemies of the revolution," including an American-trained air force chief, fell before firing squads yesterday as Islamic courts continued to exact their swift, methodical retribution from members of the old regime.

Besides the six, unconfirmed reports said four policemen were executed in the southwestern city of Behbahan.

The 10 new deaths would bring to 86 the number of men shot by firing squads since the mass movement led by Moslem clergyman Ruhollah Khomeini toppled the monarchy of the now-exiled Shah Mohammad Reza Pahlavi in mid-February.

A total of 19 have been confirmed executed since last Thursday, when the largely secret tribunals resumed their

work after a three-week suspension. Among them was former Prime Minister Amir Abbas Hoveida.

Islamic militiamen, meanwhile, continued to hunt down 152 persons on a list of wanted persons issued by the revolutionary regime. The national news agency said yesterday that two former senators from the southwestern town of Ahwaz had been detained for questioning.

More than 5,000 people are believed to be in Iranian jails as a result of the revolutionary purge, many apparently awaiting trials before the all-powerful revolutionary courts established by Khomeini.

Executed in Tehran's Qasr Prison early yesterday were former air force commander Gen. Amir Hossein Rabii; Dr. Manuchehr Azmun, a former

labor minister and one-time chief of the national news agency; Gen. Mohammad Ali Khajournuri, a former section chief under the army chief of staff, and a police constable identified only as Balili.

Specifics of the charges brought against the four in their eight-hour trial were not disclosed by state radio, but it described them all as "corrupt to the core" and "traitors to the Iranian people." The Ettelaat newspaper said they were accused of directly participating in, ordering, or aiding and abetting the killing of anti-shah demonstrators.

Gen. Rabii, 48, had turned himself in to revolutionary authorities Feb. 11, the day they took power. He declared himself on the side of the revolutionaries after reportedly ordering loyal units earlier to fire on air force dissidents and civilian demonstrators.

Government broadcasts said two former local officials of the shah's savak secret police were executed in two provincial cities yesterday, one of them shot in a cemetery beside the graves of anti-shah activists killed during the year-long popular uprising.

In another development yesterday, state radio announced that oil production had risen to about 4 million barrels daily, double the rate of production in early March, when Iran resumed oil exports after a more than two-month suspension.

The radio said all but 700,000 barrels a day is slated for export to foreign consumers.

Revolutionary authorities earlier said they would put a 3-million-barrel-a-day ceiling on daily oil production. The Iranian oil cutoff was a major factor behind the recent sharp rise in world oil prices.

## ... Trial

[continued from page 1]

in the University's employ. Freedman said this was because the two transferred to research positions at the Radiation Laboratory after turning 65.

The plaintiff cited the statistic that 27 out of 81 faculty members of retirement age continued full-time with the University after reaching 65, thus seemingly proving that Notre Dame's retirement policy was not consistent for all faculty members.

Kusbach pressed Freeman, who was chairman of the Chemistry department when Danehy requested a continuation of his contract, on the existence of any written guidelines on how the CAP is supposed to evaluate applications such as Danehy's. Freeman said none existed outside those contained in the Faculty Handbook.

The third major area of contention was the matter of due process. The plaintiff argued that Danehy did not know how to go about preparing his case for re-appointment because of the lack of written guidelines concerning the evaluation process. Freeman defended himself by saying that Danehy's application for re-appointment proceeded through the proper channels. From the CAP, whose members all knew Danehy, his application went through the dean of the college of Science, to the provost, and finally to the president of the University. Danehy also lost an appeal for re-appointment to Burtchaell, who was Provost at the time.

In summarizing his case, Kusbach said that Notre Dame's retirement policy is not mandatory since one-third (27 of 81) of the 65-year-old faculty members remained in the full-time employ of the University.

"At the very best," Kusbach said, "according to the Faculty Manual, a man at 65 loses his tenure. He is no longer protected, because he must apply year by year for re-appointment."

He continually criticized the handling of Professors Burton and Hamill, calling their re-appointment a "sloppy procedure." He called the process "too loose and too unclear." He deemed the procedure "a hunt and pick method," through which the University picks whichever faculty members the department wants. Freeman had said that the CAP "tempers compassion with a sober assessment of the needs of the department."

Murray's summary of the defense's position dealt with the flexibility of the University's retirement policy and the contract aspects of the case. He said due process had been followed in Danehy's case because Danehy testified that he had done everything he thought he should in filing for a continuation of his contract.

He denied the allegation that the University's retirement policy had evolved from a "rigid" one to a "flexible" one, commenting that the retirement provisions in the 1954 and 1972 Faculty Handbooks are essentially the same.

Calling the trial "a simple contract case," Murray claimed that Danehy entered into a contract with the University in 1956. He said the contract was renewed in 1972 when Danehy was promoted.

Kusbach said he expected a verdict from Judge McLoughlin "within a week."



## An Tostal

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SOPHOMORE LITERARY FESTIVAL

---

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### PRE-ADVANCE REGISTRATION PROGRAM

Pre-advance registration programs will be conducted for freshmen in all college program areas on Tuesday, APRIL, 17 at 6:30 P.M.

At each program complete information will be given on the advance registration procedures and on the sophomore year and its relationship to the degree curriculum.

These meeting places for the programs, according to college program area, are as follows:

<u>Arts and Letters College Programs (all, including AL Preprofessional)</u>	
Engineering Auditorium	
<u>Business Administration College Program</u>	
Hayes-Healy Center, Room 122,	A through G at 6:30 P.M. H through O at 7:30 P.M. P through Z at 8:30 P.M.
<u>Engineering College Programs</u>	
Aerospace Architecture Chemical Civil Electrical Engineering Science Mechanical Metallurgical	Engineering Bldg., Room 303 Architecture Bldg., Room 202 Nieuwland Science Hall, Room 123 Engineering Bldg., Room 205 Engineering Bldg., Room 212 Engineering Bldg., Room 22 Engineering Bldg., Room 303 Engineering Bldg., Room 105
<u>Science College Programs</u>	
Biology Chemistry Earth Sciences Mathematics Microbiology Physics Preprofessional (Science only)	Galvin Life Science Center, Room 278 Nieuwland Science Hall, Room 341 Earth Science Bldg., Room 101 Computing Center & Math Bldg., Room 300 Galvin Life Science Center, Room 102 Nieuwland Science Hall, Room 327 Nieuwland Science Hall, Room 127

ALL FRESHMEN ARE REQUIRED TO ATTEND THE PROGRAM OF THE COLLEGE OR DEPARTMENT THEY INTEND TO ENTER IN THE SOPHOMORE YEAR

# Thousands remain displaced in derailment

CRESTVIEW, Fla. (AP)—thousands of Florida Panhandle residents, forced from their homes Sunday by toxic yellowish-black fumes billowing from the area's latest chemical-train derailment, awaited word today on when they might be able to return.

Meanwhile, Secretary of Transportation Brock Adams said he had ordered the head of the Federal Railroad Administration to the scene of the Louisville & Nashville Railroad's latest accident involving hazardous cargo.

About 4,500 people were

driven out of an 80-square-mile area surrounding the pileup and spent the night in temporary shelters at schools and National Guard armories. Some were allowed to return home yesterday, and Tom Nichols, director of the Okaloosa County Civil Defense team, said officials were considering letting everyone return except those living within four miles of the wreck.

In another development, a spokeswoman for the House Transportation and Commerce subcommittee chaired by U.S. rep. James J. Florio, D-N.J.,

said the committee would deal with the accident at hearings today.

The evacuation came after 28 cars of a Louisville & Nashville freight train, almost all carrying toxic chemicals, tumbled off the rails Sunday in a wooded, swampy area west of Crestview. The train was en route from New Orleans to Jacksonville.

There was at least one explosion—which left one car peeled open and flattened and various gases began spewing from the three or four cars that ruptured.

There was only one minor

injury.

Among the chemicals spilled, burned and spewed into the air were acetone, carbolic acid, ammonia and small amounts of chlorine, officials said. By midday yesterday, however, most of the gas that had been in the damaged tank cars was expended.

Charles Hickman, a 60-year-old Civil Service worker from nearby Eglin Air Force Base, was strolling on the Yellow River when he saw the train rumbling across the trestle.

"The cars just started piling off the track," Hickman said yesterday from a hospital bed where he was treated for inhaling fumes. "I just can't explain it. You ever had the idea of two or three trains running into each other? That's what it sounded like."

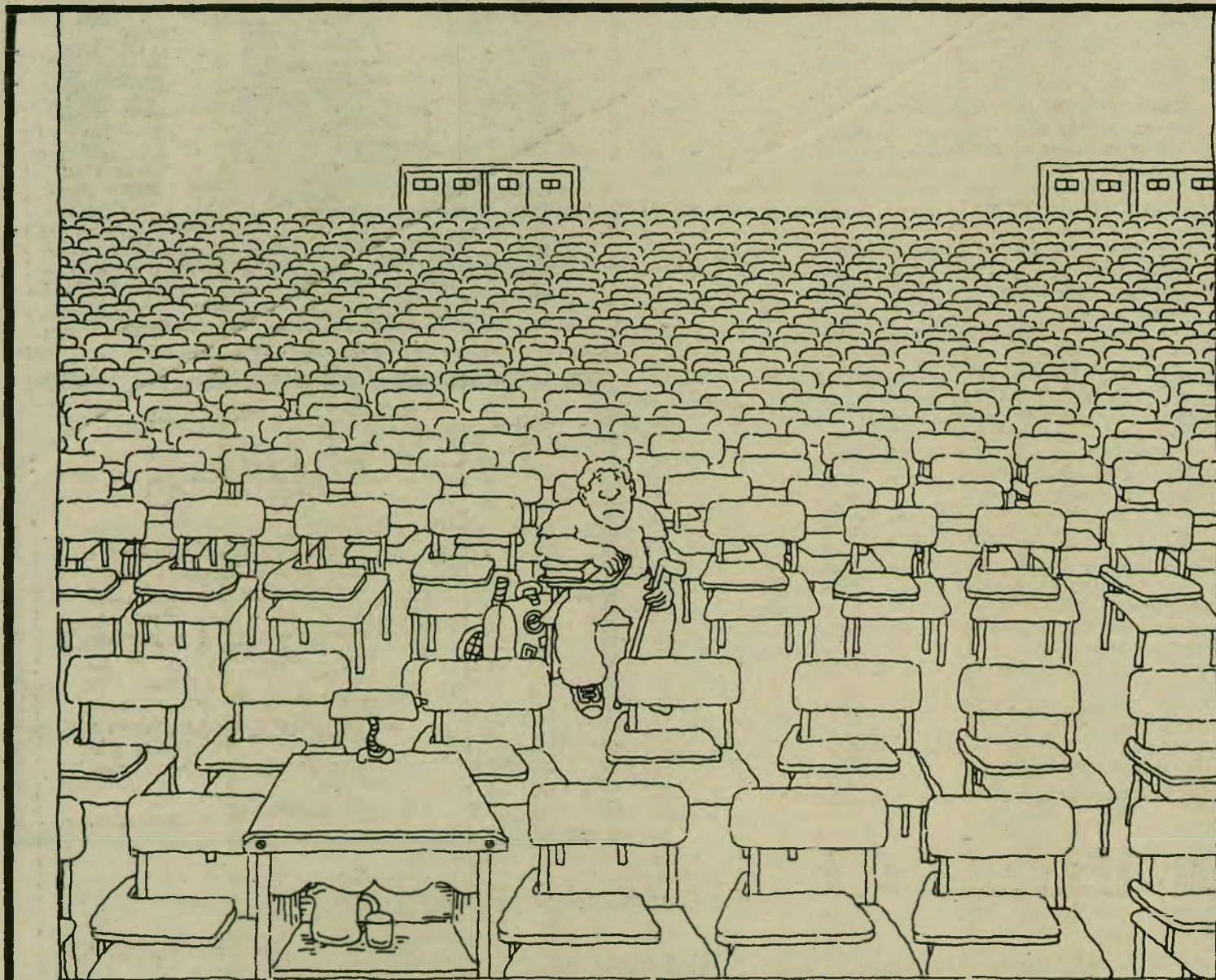
Last May, a derailment on the other side of Crestview prompted a smaller evacuation.

Last year in Youngstown, about 75 miles away, eight people died in a derailment of a Louisville & Nashville chemical train.

The latest wreck came just two days after the Federal Railroad Administration lifted a 30-mph speed limit along the section of track near Crestview.

Federal officials, citing 121 Louisville & Nashville wrecks; as of last July, said the railroad had the worst record of any in the country for handling hazardous materials.

Railroad spokesman Kenneth Dufford said the tracks in question had been inspected by the railroad on Friday. Asked if he were satisfied with the firm's safety record, he said: "Yes sir."



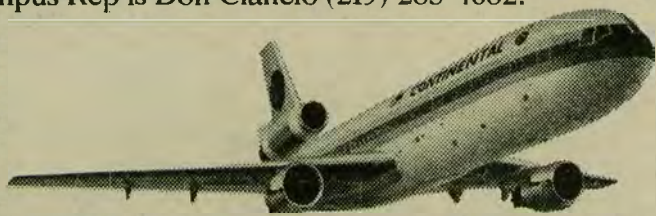
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The Proud Bird with the Golden Tail.

# CONTINENTAL AIRLINES

North America/Hawaii/Micronesia/Orient/Australia/New Zealand/Fiji/Samoa

## Lucey to explain fallout

John W. Lucey, associate professor of Aerospace and Mechanical Engineering, will explain the Three Mile Island nuclear accident during a lecture tomorrow at 4:20 p.m. in room 118, Niewland Science Hall.

Lucey has detailed slides of a Babcock & Wilcox nuclear facility in Ocomee, S. Car., which is very similar to the reactor the company designed at Three Mile Island. He will describe consequences of the accident, the amount of radiation released and its effects, physical and financial damage to the plant, and reasons for evacuating certain residents of the area.

The talk is sponsored by the Department of Physics and is open to the public.

## Students to collect CAP material

Pre-registration material for the students on the Committee on Academic Progress (CAP) will be available today through tomorrow in room 346 in O'Shaughnessy.

## The Observer

Box Q Notre Dame, IN 46556

The Observer is an independent newspaper published by students of the University of Notre Dame and Saint Mary's College. It does not necessarily reflect the policies of the

administration of either institution. The news is reported as accurately and as objectively as possible. Editorials represent the opinion of a majority of the Editorial Board. Commentaries, opinions and letters are the views of their authors. Column space is available to all members of the community, and the free expression of varying opinions on campus, through letters, is encouraged.

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## LETTERS TO A LONELY GOD

### The Woman Who Loved John Wesley



Rev. Robert Griffin

My great, great grandmother, I was told as a child, was one of the women who loved John Wesley, the founder of the Methodists. Nobody ever told me, as a child, if John Wesley also loved my great, great grandmother; or, if he did love her, whether it was church-love, or courting-love, or simply the pastoral love a preacher might feel for the ladies who feed him beans at parish suppers. All I heard, as a child, was that my grandmother's Nana was a woman Wesley read the Scriptures to as though they were love letters from the Son of God; and she adored Wesley as much for the dark damnations of *Romans* as she did for the poetic eroticism of the *Song of Songs*.

Every family needs a saint for the sake of its spiritual genetics; and all of my ancestors, at an early age, professed a faith in Christ as Saviour, if the notations in old Bibles can be believed, as though Wesleyanism was in their blood streams.

"The New Testament had been explained to her by Mr. Wesley," my grandmother said. "She knew her Bible better than the preachers ordained for the pulpit, and she insisted on her family believing it. She'd pray over them every night. She'd make them learn Scripture verses every day, until they knew all the Promises by heart."

"Didn't none of them ever backslide, Nana?" I would ask. Backsliding, I knew, was a sin that grieved the heart of Christ; but if you'd taken him as Saviour, He would redeem you in spite of apostasy, though backsliding seemed spiritually gauche.

"She would have planted worms in your conscience," my Nana said, "if

she ever knew you'd grown lukewarm, not keeping the Bible as a lamp unto your feet. Some of the menfolk tried it, off in their boats to Boston and New Bedford, swearing and gambling and drinking. But the Lord rebuked them, and they all said it was grandmother, working on the Lord's side, that made them feel rebuked."

I could see the Yankee fishermen, glasses in hand, cursing their luck at poker, being sent off packing to a prayer meeting by a moral presence, shimmering with light and anger, who wacked them over the head with an umbrella of salvation.

Great, great grandmother had met John Wesley when she'd gone to hear him preach. "She said she'd been a thoughtless young girl," Nana told me, "worldly, frivolous, vain. It was hard for me to imagine my grandmother as ever frivolous; perhaps because she was English, she never seemed frivolous. Wesley's preaching changed her whole life, though he was an old man then, nearly eighty. After that, she tried to stay as near to him as she could, until his death, when she came to America."

My Nana hugged me as though she were afraid of her own memories. "When I was a child, I thought grandmother could walk on water. I thought she could give back breath to folks who had died, if she wanted too. I had her mixed up in my mind, you see, with the Lord."

"Did you also think she had scars in her hands and her feet?" I said. The scars, for me, were the detail about Jesus that made Him special. I never heard of anyone else who had been wounded with nails.

My grandmother laughed. "I knew better than that," she said. "But everyone has scars. Grandmother had them, too, but she kept them in her heart. She never showed the family the places in her heart where the scars were kept."

My Nana died in 1941, a lady whom I adored as my best teacher in Christ, even as she adored her grandmother in the same way. The Bibles Nana had kept were now given to me. As a young teen-ager, I wasn't in a hurry to read those Bibles, as Nana knew I wouldn't be. It was years before I realized that on those holy pages, Nana had entrusted me with a family secret.

Among the birth dates and death dates of the family members was a terse remembrance: Born to Katherine Margaret, in St. John's parish, London, on March 15, 1781: a son; died without name on the same day.

In 1781, Katherine Margaret, my great, great grandmother, would have been seventeen years old. She had never married until she had come to America, nearly ten years later. The son, born to her without a name, could never have had a legitimate father. This, then, I knew must be the scar that my Nana said Katherine Margaret kept hidden in her heart.

The message that the great Protestant evangelists preach is of Jesus Crucified. We come to the wounded Saviour trusting that our infirmities will be healed in His infirmities.

It was such a message, I am sure, that my Nana's grandmother heard preached by the evangelist John Wesley, whom she afterwards loved

until his death. From him, she heard assurances that saved her, promises that gave her hope. A discouraged young woman--full of her own regrets; unhappy, grieving for the death of a fatherless infant--met a Jesus-preacher in love with God who offered her graces for a re-birth into innocence. Through his ministry, under an English sky, on a Devonshire hillside, she found in Christ the comfort of salvation and peace, and her life exploded into a declaration for God.

It is, as the Baptist hymn, says, "The old, old, story." I wanted you, in this Holy Week, to hear the old, old story. I don't think my great, great grandmother would mind your hearing her story, because it is Christ's story--Christ's story, and John Wesley's story, and for all I know, part of my own story as well.

Happy Easter from Darby O'Gill and me.

## Apology

Yesterday *The Observer* features page published a column entitled "The Talking Head." Due to an editing error, this column contained statements which were libelous to the residents of Howard Hall. *The Observer* apologizes to these residents and to all members of the ND-SMC community who were offended by these statements.

## The Ramones: Back-to-Basics Rock

Steve Navarre

I'm not really the ambitious type, but after seeing a recent punk review in *The Observer*, I picked up on several statements which deserve examination. I speak of the fourth, most recent, and best LP, "Road to Ruin", by the American punk band--The Ramones.

The Ramones don't advocate "masochistic autodestruction;" rather they have triggered an explosion of back-to-basics, simple (but not simplistic) rock. Their inspired individualism influenced those nihilistic English punkers who helped them revitalize an increasingly boring, uninspired musical scene. It was this second wave of punk--The Sex Pistols in particular--which often sunk into self-destructive self-parody. However, they also created some of the most vital and seminal music of this decade, a fact often overshadowed by their appalling public behavior.

It must be remembered that youth's frustration with then popular music generated rock'n'roll in the 50's. During the mid 60's, many bands lost sight of these origins, and by the late 60's and 70's frustration was primarily channeled into physical violence; popular music evolved, with some notable exceptions, into an entertaining but emotionally bereft product.

Into this musical void stepped punk, altering the violence from physical to musical. The music combined the aggression, emotion and decadence of the early Who and Stones with the warped pop sensibilities of the Kinks and New York Dolls. This fusion is intense but not always very accessible. Indeed, the Ramones, whose intricate harmonies suggest a deranged, schizoid version of the Beach Boys, are an acquired taste.

But like it or not, punk has revitalized today's music. Much of New Wave (a marriage of punk and

pop) is a trashy attempt to cash in on the publicity the style has received, with little creativity or musical worth. However, good New Wave (this is not a contradiction in terms); Elvis Costello, Nick Lowe, The Clash, Talking Heads, Cheap Trick, the Cars, Devo and others, make some of today's most exciting music.

In addition, the punks' aggression and criticism of "those boring, irrelevant old tarts" inspired the Rolling Stones and The Who to their best efforts in many years.

From their beginnings in 1974, The Ramones have often been misunderstood. In the words of their producer, Tommy Erdelyi, "There was never anything like the Ramones before. It was a new way of looking at music. We took the rock sound into a psychotic world and narrowed it down into a straight line of energy...we had a perspective of non-musicality and intelligence that takes over for musicianship."

The group members are gaunt, pale, and bizarre-looking. Lead singer Joey Ramone is often singled out as the chief buffoon. However the Ramones understand and successfully satirize their derelict's lifestyle. A distinctive bludgeoning wave of sound characterizes most punk groups, yet the Ramones have gone further than noise for the sake of noise.

Block chording is used as a melodic device, with countermelodies created by the harmonics from amplifier distortion. The wall of sound carries its own melody, a song within a song from a droning block of chords.

Repetition of music and lyrics creates a distinctive, captivating effect, as Joey's vocals leap out and assault the listener. The driving rhythms fashioned by bassist Dee Dee Ramone and drummer Marky Ramone relentlessly drive the music to the outer

limits of control. Erdelyi compared the music to a "sonic machine," adding "It's very sensual. You can put headphones on and just swim with it. It's not background music."

Ramones songs *always* command attention, and as the band's musicianship improves and evolves, the critical and popular raves are increasing. Dee Dee's lumbering bass lines are deft; Johnny Ramone's guitar work is matured and refined, while maintaining its lovable chunkiness; Marky's drums drive the band more reliably and creatively than ever, and voice lessons have improved Joey's phrasing and confidence, allowing him to make some truly daring pop vocal moves. The characteristic pure power chords and unrefined sound have been supplemented by some competent solos and even something sounding like a 12-string guitar. This unique growth makes *Road to Ruin* an album to be reckoned with.

Joey is even able to carry a couple of ballads (?), although Questioningly seems a bit sentimental and contrived.

He sounds like a deranged Brian Wilson-Eric Carmen clone on speed, with a nasal quality that seems shaped by years of glue sniffing. Basically, you'll love or hate it.

The standout tune among a slew of excellent songs is "I Wanna Be Sedated," evoking both bubblegum rock and Alice Cooper in his heyday. It may be one of the most menacing songs on record, and overshadows even their earlier gems like "Cretin Hop," "Loudmouth," and "Blitzkreig Bop." Close behind is "Don't Come Close," the most "pop" song they've ever done (with the possible exception of "Rockaway Beach") and it cuts anything currently on AM radio to shreds. The Ramones' knack for hooks and catchy chord progressions is evident, and Johnny's restrained

guitar work sparkles.

"I Just Want to Have Something to Do," the album's opener, could be the Ramones' theme song, and exudes a refreshing conviction and sincerity. From this impressive beginning, the group easily and frequently shifts gears. Evidence of this is the raucous, angry "I'm Against It," where the boys beat the Sex Pistols at their own game. Marky and Johnny have the sound down pat; Dee Dee plays circles around the late Sid Vicious (who couldn't?) while Joey fumes lyrics that easily top the Britishers.

Joey makes Johnny Rotten look like a minor leaguer as he roars "I don't like playing ping pong/ I don't like the Viet Cong/ I don't like Burger King/ I don't like anything/ And I'm against it," making a convincing argument that punk is alive and well.

"Needles and Pins," an old Searchers song, and their current single, shows their versatility, as they recreate the background almost note for note, but the rhythm section's intensity and a haunting vocal make the song seem to be written especially for the Ramones. Although probably doomed to a short stay at the bottom of the charts, the song is almost as much fun as 1977's classic "Sheena Is A Punk Rocker."

"I Don't Want You" builds intensity to the point where one wonders just how far these mutants can go, and although they never quite reach their limits, losing a chance to fashion a good song, they clearly show that the future should be very bright. "She's the One" somehow evokes the Springsteen effort by the same name.

It's the understanding of what rock is that makes these folks from Forest Hills, NY so important. You can love them or hate them. But this band and this album will have more to say about what directions rock will take in the 1980's.



**You were down  
to half a jar of peanut butter.  
Then Dad's check arrived.**

**Now comes Miller time.**





# Kahn warns of recession; citizens' crusade begins

WASHINGTON (AP) - A nationwide citizens' crusade against rising prices got underway yesterday with President Carter's chief inflation fighter saying if voluntary anti-inflation efforts fail, it could lead to mandatory controls or a recession.

But White House Press Secretary Jody Powell said Carter would not consider imposing mandatory controls.

Alfred E. Kahn told some 250 labor leaders the alternatives to Carter's voluntary wage and price guidelines "are unthinkably worse."

Kahn told the group: "There are a couple of commonly proposed alternatives that the president and I both feel are not acceptable."

But, he added, "An honest person has to admit that if this (voluntary) program doesn't work, we may get one or another of those alternatives, whether we like it or not."

"We may get the one that some of you say you want-mandatory controls. With the mood of the country the way it is today, however, and the way it is likely to be if this inflation continues unabated, we may get the one that neither you nor I want."

"I refer, of course, to the option of clamping down on the economy so severely that we bring on a serious recession and throw millions of people out of work-your people-in a repeat of 1974-75. The president is determined not to use recession as a tool to cure inflation..."

"The President is equally determined not to resort to the second method of restraining those excessive demands-mandatory wage and price controls."

Despite Kahn's comments, Powell said "absolutely not" when asked if Carter was thinking of asking Congress for authority to impose mandatory controls.

Powell said Kahn "in no way meant to imply that this president would under any circumstances impose wage and price controls."

Kahn's statement came as the AFL-CIO kicked off its Operation Price Watch. The opening rally was held beneath a large red, white and blue banner reading "Bring down prices!!! An AFL-CIO community service."

## "Bring down prices!"

The price watch was instituted AFL-CIO President George Meany told the rally, to allow "thousands of union members across America to be the eyes and ears for the administration's inflation fighters."

The crusade also will involve COIN (Consumers Opposed to Inflation in the Necessities), a Washington-based coalition of some 60 labor, consumer, minority and senior citizen groups.

Participants will monitor the prices of food, housing, fuel and medical care - which together make up more than 70 percent of the average family's expenditures.

A similar effort in the early 1970s, President Ford's Whip Inflation Now program, ended in disarray when the 1974-75 recession hit.

The new price watch, which will augment the Council on Wage and Price Stability's own monitoring, comes as the Carter Administration is facing tough challenges to its voluntary wage-price program.

The Teamsters union is on strike for a new contract that experts say could exceed the wage limit. And the president announced last week that the plans to decontrol domestic oil prices, which would lead to higher fuel prices and could result in windfall oil-company profits if Congress does not agree to an excess profits tax.

The AFL-CIO has said since the guideline announcement last October that the voluntary program to limit wage increases to 7 percent while prices rose at much higher rates is discriminatory.

"We've said time and again that they (the guides) are unfair and, of course, they aren't working," Meany said.

"Frankly, we believe that mandatory, across-the-board controls on the price of everything and the income of everybody-in this particular period of time-would be more equitable and more enforceable," he continued. "In fact, we believe that Operation Price Watch will prove that point."

Meany said a five-month pilot price-check program already shows "it is not working and that inflation is worse for the very items working families need and use the most," such as food and medicine.

Kahn and others who addressed the group, including Sen. Howard M. Metzenbaum, D-Ohio, and Ester Peterson, the president's consumer adviser, welcomed labor's participation in price monitoring.

Kahn pointed out that the Council on Wage and Price Stability has tightened its price guidelines, which call for price increases no more than half a percentage point below the average of the last two years, and he said it has started a state and local government anti-inflation program.

"I have already conceded that Price Watch is not going to end inflation all by itself," Kahn said. "But it is nevertheless an important part of the fight."

He continued: "First of all, the fact that well-organized, informed consumers all over the country will be going out systematically monitoring prices and asking questions cannot help but make business people particularly careful about the prices they charge.... Second, the information you provide will be very useful to us in our price monitoring."

## ... Summary

[continued from page 2]

gested later that the discrepancy represents "a scientist's terminology" versus "the terminology used by a Cambridge theologian."

Murray, though his questions tried to show that the University's procedure for dealing with cases like Danehy's was consistent and fairly applied. Burtchell said that, while Hamill and Burton were reappointed without a review, they were no longer teaching at the University: they were reappointed as full-time "researchers" at the Radiation Laboratory. Freeman had earlier made this distinction, saying that even though they retained the rank of Chemistry Professor, they were no longer considered members of his department. And, according to Burtchell, "the University is free to retire persons from department X and rehire them in department Y."

### LEGAL PRECEDENTS:

Only one precedent was alluded to during the trial, and even that case was not actually "cited." The case of Ambrose Klain, a former professor at Penn State, was brought to the attention of the court by Mur-

ray, who did not actually "cite" the case because he did not have the information readily available. Klain's suit, which was heard by the same Harrisburg Regional Court judge who ruled against the Berrigan brothers in the early seventies, charged that he was unfairly retired when he reached 65. The case failed, pending appeal.

## Bureau names Witmer

Sylvia Whitmer, assistant professor in the department of education at Saint Mary's, has been named to the speakers bureau of Governor Otis Bowen's Committee for the International Year of the Child.

She has also been named to the advisory board of the education component of Project Head Start in South Bend and to the public relations committee of the Community Coordinated Child Care of St. Joseph County's observance of the International Year of the Child.

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10:30 a.m. Sunday  
12:15 p.m. Sunday

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Rev. John C. Gerber, C.S.C.  
Rev. William Toohey, C.S.C.

7:15 p.m. Vespers

Rev. John C. Gerber, C.S.C.

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Be someone special in the Nuclear Navy.

by Kevin Connor  
and Rich Harper  
Sports Writers

# Irish ruggers topple Terre Haute

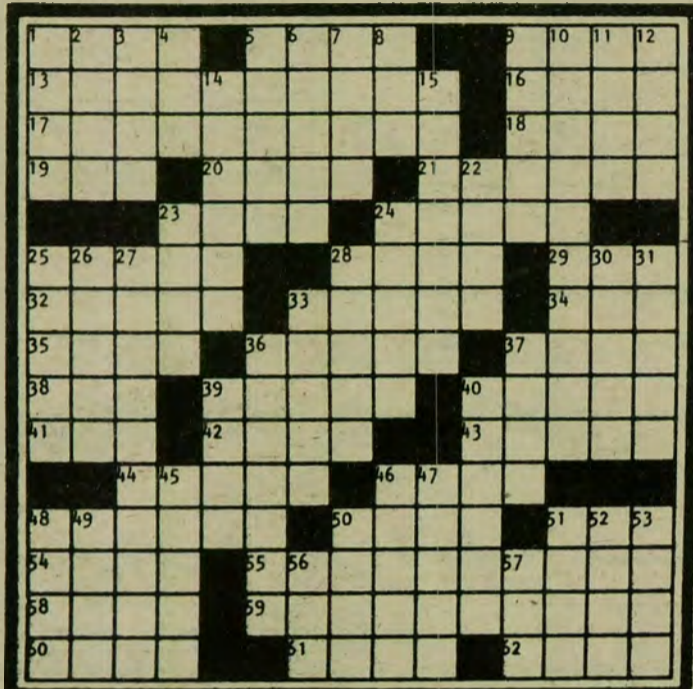
The Notre Dame "A" Rugby Team defeated the hard hitting Terre Haute Rugby Club 16-9 last Saturday at Stephan pitch. The game was a mixture of excellent running and passing by the backfields of both teams

and rough contact in the scrum play. Early in the contest it appeared that the Irish ruggers would walk away with an easy victory as Kevin "Corky" Corcoran and Matt "OB" O'Brien each scored a try putting the Irish ahead 8-0. Tom Bosche's normally automatic kicks after trys were foiled by a bitter winter wind.

The N.D. 8-0 half-time lead was quickly erased by an inspired 2nd half Terre Haute Club with a try, the kick after and a field goal resulting in a 9-8 Terre Haute lead. But the Irish were not to be denied. A fleet footed H.J. Hanigan and a rambling Rico Harper spear-headed a tenacious Irish comeback that culminated in Harper's bizarre 2 yard plunge.

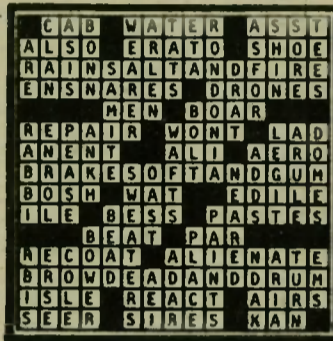
This put the Irish back on top 12-9. Stellar defense by the Notre Dame scrummies prevented 2 near Terre Haute tries. Jim "Bowhooter" Bowers tipped a pass into the outstretched arms of Mike "P.F." Allair, who then drove into the endzone for the final score of the day. The "A" game was preceded by a "B" and "C" team scrimmage, filled with all the pageantry of a regular game. The final score was 14-4, as trys were scored by Tim Pearle, Mike "Kirby" Muldoon and Glenn Hank for the "B" team and by Tim McKeough for the "C" team. Herb "leadfoot" Gloss added a kick after a try for the B squad. The Irish Ruggers travel to St. Louis for their next game to participate in the annual Easter Rufferfest.

## The Daily Crossword



- ACROSS**
- 1 Mine car
  - 5 Port —
  - 9 Not in harmony
  - 13 Noted English duke
  - 16 Additional
  - 17 Fill with life
  - 18 Dayton's state
  - 19 Tibetan gazelle
  - 20 December song
  - 21 Heaps
  - 23 Calumet
  - 24 Oppose boldly
  - 25 Actress Debra
  - 28 Loch —
  - 29 Literary monogram
  - 32 Overweight
  - 33 Insertion mark
  - 34 Still
  - 35 Position
  - 36 Skeletal parts
  - 37 Jewish month
  - 38 Homily: abbr.
  - 39 Pamphlet
  - 40 Sphere
  - 41 Work unit
  - 42 Have faith
  - 43 Full of fluff
  - 44 Inventor Howe
  - 46 Spiral
  - 48 Agreement
  - 50 Marquis de —
  - 51 Belgian city
  - 54 Bridge
  - 55 German president
  - 58 Indirect suggestion
  - 59 Begins anew
  - 60 Within: pref.
  - 61 Periods
  - 62 Family man
  - 22 Kiln
  - 23 Nuisance
  - 24 Le Havre hat
  - 25 Rustler's concern
  - 26 More competent
  - 27 Famous French author
  - 28 Walker or Sinatra
  - 30 Depended
  - 31 Wander
  - 33 Fuels
  - 36 Inhalations
  - 37 Seed cover
  - 39 Triplet
  - 40 Strangers
  - 45 Slowly, in music
  - 46 Group of trained workers
  - 47 "Golden Boy" playwright
  - 48 Court celebrity
  - 49 Motor trip
  - 50 Hinder
  - 51 Fiji port
  - 52 School, for short
  - 53 City on the Jumna
  - 56 Give — chance
  - 57 Strike

Yesterday's Puzzle Solved:

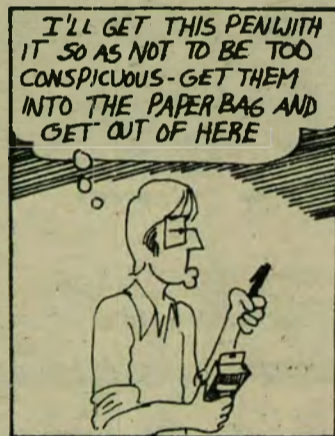


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## Interhall B-ball playoff tonight

In interhall basketball action Sunday night, Sorin defeated Dillon 46-36 to win the Division II championship. Howard upset Morrissey 53-47 causing a tie for first place in Division I play. The play off game between Howard and Morrissey will take place tonight at 7 p.m. in the ACC pit.

## Molarity



## Michael Molinelli ... Lacrosse

[continued from page 11] years." As a result, Notre Dame is controlling the entire field of play. Against Purdue, the Irish defense of John Mandico, Jimmy Ray Williams, and John Veracruzysse stopped ten of eleven Boilermaker man-up situations with strong positional play and excellent clearing passes. Midfielder Tim Michels added to Notre Dame's dominance by taking a phenomenal 19 of 20 faceoffs in sloppy field conditions. Defenseman Mandico felt that the Irish are beginning to play the "finesse game" that resembles the brand of lacrosse played in the east. He added, "A lot of teams (in the mid-west) try to make up for the finesse with a lot of contact. We've pulled together as a team this year and used control in our game." Co-captain Gray added, "Our ability to come up with the loose ball has made our fast break. In the unsettled situation-- we've been the best. We haven't been behind yet." Next Wednesday, the club travels to Ann Arbor to face the always tough Wolverines of Michigan.

## Noddy



## Jim Canavan

## St. Mary's College Student Government Speaker Series Presents:

**John R. Powers**

Author of The Last Catholic in America and Do Patent Leather Shoes Really Reflect Up?

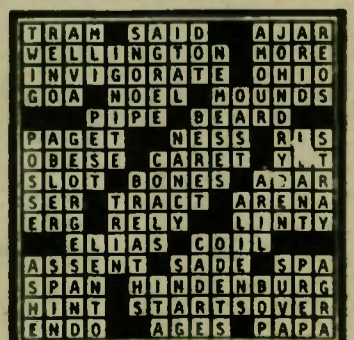
Tuesday April 10 Little Theatre, Moreau  
8:00 PM FREE Admission



## ARMANDO'S

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sat 8-2  
by appt. only  
sat-no appt. needed

## Today's Crossword solution





## Bobinski fires two-hitter as Irish split double header

by Mike Henry  
Sports Writer

Righthander Mike Bobinski, in his first outing since Notre Dame's return from Florida, threw a sterling two-hitter at St. Mary's (Minnesota) and, backed, by Tommy Caruso's rbi single, pitched the Irish to a 1-0 victory in the first half of a twinbill. Redmen freshman Paul Hermus was the difference in the nightcap, limiting the Irish to six hits in a 6-2 win for the visitors.

"Normally, I don't like to pitch when it's this cold," a pleased Bobinski said afterward. "My arm was tightening up a little, but my slider was very effective and I was able to keep it on the ground." In fact, fourteen of the Redmen's twenty-one outs came on ground balls; Bobinski was credited with five assists on comebackers, including all three first-inning putouts. St. Mary's was unable to get a runner past third base as the Long Island senior turned their bats to ash.

The Irish manufactured their only tally in the second stanza. Jim Montagano coaxed a base on balls from Tim Arwood and advanced on a sacrifice by Dave Bartish. After Henry Valenzuela grounded out, Caruso singled sharply over second to give Bobinski the margin he needed.

By the time the second tilt began, many in the crowd looked enviously at their fellow patrons who had remembered to bring along a blanket. Their discomfort grew as the Irish, many times on the verge of knocking Hermus out, persisted in leaving baserunners on (a total of 11 in the game). The Redmen stranded 14 themselves, but were able to come up with a few more clutch hits than Notre Dame.

Bob Bartlett started for the second time in three days, and for a few innings, he managed to wriggle out of trouble as easily as he got into it. He left ten ducks on the pond through the first four frames, but finally faltered in the fifth. Manager Tom Kelly yanked Bartlett after

Chris Kendall's base hit made it 3-1. A sacrifice fly by Bill Gran rounded out the inning's scoring.

For St. Mary's, Paul Hermus showed surprising poise and a knuckle curve that baffled the Irish hitters in the early going. Notre Dame threatened in the fifth, loading the bases, but the uprising ended when Caruso bounced to second. The lead was cut to 4-2 on an odd play in the sixth inning, with Mike Jamieson on second and Ricky Pullano on third and two outs, Mark Simendinger grounded to third. It was an easy chance for Walt Weisenburger, but he inexplicably elected to trap Jamieson in a rundown while Pullano dashed across the plate with the second run. Jamieson really made things interesting when he knocked the ball loose on the play, bringing the go-ahead run to the plate. However, Dan Woellinger just got under a fastball and missed giving the Irish the head by about twenty feet.

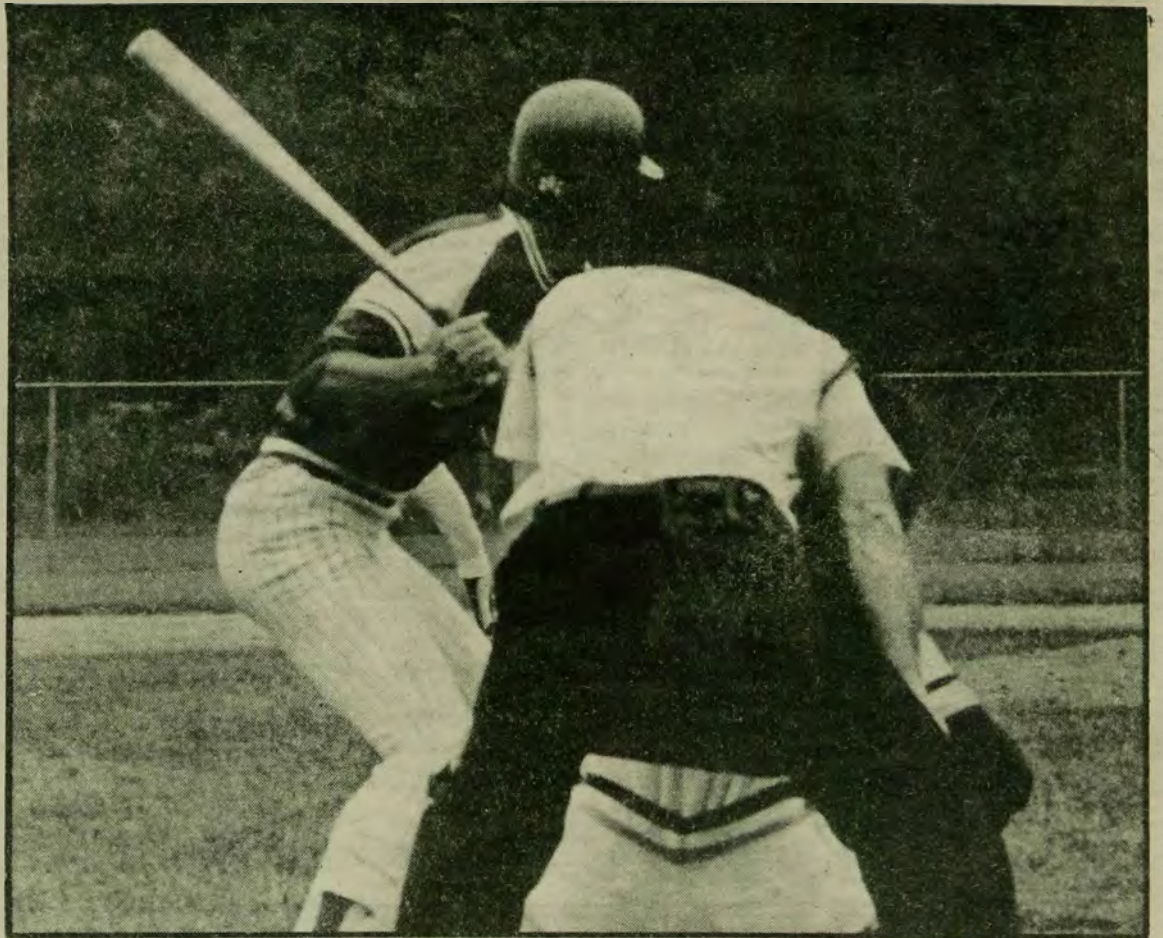
Kelly, who saw his team's mark drop to 4-7, commented, "I was happy with our pitching and defense, but we've got to become more aggressive at the plate. We've got to be ready to pounce on those fastballs. St. Mary's didn't hit a ball farther than 200 feet, but came up there swinging the bat and managed twice as many hits (12-6).

Today, Notre Dame hosts Valparaiso in a doubleheader beginning at 1:00 pm. Mike Deasey and Mark Ladd are slated to start for the Irish. If it's not snowing, grab a blanket and head on over to Jake Kline Field. Admission is free.

## Fencers finish season with eleventh in NIWFA finals

by Beth Huffman  
Women's Sports Editor

In its first bid for a national championship, the Notre Dame Women's fencing team came up short by finishing 11th in a field of 26 at the NIWFA finals which were held last weekend



The Irish Nine won the opener, but lost the nightcap of a double header yesterday against St. Mary's of Winona, Minn.

## Klucka excels

# SMC softball team wins two

by Beth Huffman  
Women's Sports Editor

Saint Mary's softball team erupted in a double header with offensive and defensive flair to outclass Evansville College, 9-6, and Indiana Central University, 7-2 on Saturday.

In a pre-season interview the Belles' Coach Anthony Black predicted his team would do well this season, but after Saturday's double victory Black highlighted on the team's out-

standing play.

"The team looked very good, particularly against Indiana Central," Black said, "certainly one of the premier teams in Indiana, if not in the Midwest. They have an advanced athletic program for women. I thought we would be good, and I am now convinced that on any given day we can beat any team we play. It is a young team - half the squad are freshmen - and it will get better."

Offensively Diane Klucka out-did everyone, collecting four hits, five runs scored and twelve stolen bases. Both Evansville and Indiana Central had difficulty containing Klucka on the basepaths despite their strong catching staffs. Klucka tallied a record eight stolen bases in the game against Indiana Central.

Susan Nicholas stole four bases of her own and Sue Schneider added two to push the Belle's total to 20 for the day. Freshman Maribeth Hosinski added to the production of Saint Mary's runs by pounding three hits, including a double, three runs-batted-in, along with her exceptional defensive play at first base.

Saint Mary's defensive play remained consistent in the double bill and the squad came up with what Coach Black termed "exceptional plays" on numerous occasions. The only bleak event of the day occurred

when Senior Liz Aerts, after belting out a clutch two-out single, knocking in the Belles' first two runs, was rushed to St. Francis Hospital in Indianapolis. Ex-rays of Aerts had disclosed that the little finger on her left hand had been broken. Aerts, the Belles' clean-up hitter, will be gone from active diamond duty for three weeks. Sandy Gay was able to fill-in for Aerts as she collected three runs-batted-in against Indiana Central.

The battery of Freshmen M.J. Murray and Amy Karkewicz proved too much for both Evansville and Indiana Central. Murray came away with both wins, giving up only four earned runs on the day while striking out 13 batters. Murray was very strong against the powerful Indiana Central team, doling out only three hits and one earned run with seven strike-outs.

Coach Black, impressed with Karkewicz's behind the plate action, praised his catcher's play. "Karkewicz caught two exceptional games and assures the Belles of front-line catching for the year-the Chicago Cubs should be so lucky."

Saint Mary's will defend its 2-0 record by facing Bethel College away on Tuesday, game time is scheduled for 3:00 p.m. After Easter break the Belles will be challenged at Grace College on April 18.

## ND track team awaits tough upcoming schedule

by Mark Perry  
Sports Editor

A trip to the Arkansas State Invitational this Saturday is just the beginning of a tough schedule of meets for the Notre Dame track team for the rest of April.

The Irish have been impressive in the first two meets of the outdoor season, and Irish Head Coach Joe Piane hopes that the trend will continue at Arkansas State.

"We are taking about 25 athletes down to this meet," Piane said. "We would like to better our point total of last year, and are looking for improved performances from our 400 meter and 1600 meter relay teams. We could score in at least nine or ten events."

The one day affair has about

12 schools entered, and Piane was confident that it should be an excellent meet. Top schools include the host school, Arkansas State (perennial champions in the Southland Conference), Florida, Kansas, and a Memphis State team loaded with some top runners from England.

The Irish have tough meets coming up for the next two weekends also. Next Saturday the two-mile relay team will be defending their title in the Kansas Relays, and a four mile relay team will also be entered. The rest of the Irish squad will be traveling to the Illini Classic at the University of Illinois. On April 27 and 28 Notre Dame will be entered in some events at the Drake Relays, and also will send some competitors to the Ball State Relays.

in San Jose.

The meet, which was won by San Jose State University for the fifth consecutive year, was no disappointment to the foil team of senior Karen Lacity, juniors Dodee Carney and Liz Bathon and freshman Marcella Lansford. As rookies to the national championship competition the squad was happy with their performance.

The four foilists, who tallied a 14-3 season record en route to the NIWFA finals, qualified for the meet by finishing in a first place tie with Ohio State in the division qualifying tournament held on March 10.

Junior Liz Bathon also gained extended recognition by qualifying for the individual position D championship, although she did not manage to place in the finals.

Accompanying the squad to the meet was their coach, Mike Sullivan. Sullivan, himself a nationally ranked Irish fencer, was commended on his leadership and coaching by Irish captain Karen Lacity.

Next year's outlook for the team is outstanding, as it will be returning three of this year's squad members. The team will feel the loss of its captain Karen Lacity's ability, but the three returning foilists should provide a strong nucleus for another run at the NIWFA finals.

## Women tracksters take four

The Notre Dame Women's Track Club captured four first places, three in field events, at a tri-meet with Goshen College and St. Joseph's College on Saturday at St. Joseph's.

Mary Hums placed first in two individual events, winning the long jump with a leap of 13 feet, eight inches, and hurling the javelin 117 feet, 11 inches, her personal best, for another first place. Cheryl Kearns took first in the shot with a throw of 34 feet. The only first place in a running event was turned in by

Jane Ahern, as she ran to victory in the 880-yard run.

## Correction

Schedules for this year's Bookstore Basketball tournament will be available to team captains on April 16 from 6 pm to midnight in 140 Pangborn Hall, not 104 Pangborn as announced in yesterday's *Observer*. Teams are reminded that if they do not pick up their schedule at this time they will forfeit their place in the tournament.