

Burtchaell announces resignation as provost

Fr. James T. Burtchaell, provost of the University of Notre Dame for seven years, announced his resignation to return to teaching in the Department of Theology.

The resignation, announced last Thursday, will be submitted to Notre Dame's Board of Trustees on October 21, but Burtchaell relinquished administrative duties yesterday. The 43-year-old priest was appointed to the number two position within the University by the trustees when they created the provost's office in 1970.

An acting provost will be named in the near future, University President Theodore M. Hesburgh, said. An advisory committee for selection of a permanent successor, outlined in the Academic Manual and composed of five elected faculty members of the Academic Council and one of its student members, will be formed at the first meeting of the Council.

Burtchaell will be returning to the theology faculty which he joined in 1966 after receiving his Ph.D. in divinity from Cambridge

University in England. He chaired the department from 1968 until his appointment as provost in 1970 and was promoted to full professor in 1975. In his nine years as an administrator, he continued to teach and to write, principally in the areas of biblical ethics and sacramental theology. He also lived in a student residence hall, where he served eight years as assistant rector.

He has served on virtually every major University committee and his off-campus professional activities

included major roles in the American Academy of Religion, the council on the Study of Religion, the American Council of Learned Societies' Advisory Committee on the Study of Graduate Education in Religion, and the Association of American Colleges' Commission on Religion in Higher Education. Burtchaell has also represented Notre Dame in a variety of matters of common concern to Indiana institutions of higher learning.

Hesburgh commented on the resignation, "It is difficult to find words adequate to thank Father Burtchaell for his seven years of superlative service. He has set a standard that will be difficult, if not impossible, to match. The provost's office has been characterized by a style that reflected his high intelligence, broad vision and constantly courageous dedication

to academic excellence."

"He has attracted many talented scholars to Notre Dame," Hesburgh continued, "and has inaugurated new academic programs and procedures to better the University's educational enterprise. In particular, he has been actively engaged both in the current improvement of faculty salaries and in the amassing of permanent endowment to assure continuing progress in faculty compensation," he said.

A native of Portland, Oregon, Burtchaell entered the Congregation of Holy Cross in 1952, was graduated from Notre Dame in 1956 and was ordained in 1960. Between 1956 and the reception of his Cambridge doctorate, he did graduate study and research in biblical theology at six institutions in this country, Europe and the Middle East.

The Observer

an independent student newspaper serving notre dame and st. mary's

Wednesday, August 31, 1977

Vol. XII, No. 2

Officials silent on Hunter case, some issues remain confused

by Tom Byrne
Campus News Editor

Almost three months after the events that led to the suspension of Al Hunter, University Officials still refuse to comment on the subject, and some of the issues involved remain unclear.

Dean of Students James Roemer, citing the University's requirements for confidentiality in the handling of disciplinary matters, yesterday declined to grant an interview on the subject. Hunter's attorney, Robert L. Stephan of South Bend, also refused to discuss any aspect of the case.

Hunter, a record-breaking running back on the Notre Dame football team, announced a settlement of his lawsuit for a temporary injunction for reinstatement on Aug. 15. The agreement stipulated that Hunter accept a one-semester suspension and drop his litigation against the University, while remaining eligible for a return to his studies in January. Hunter will also retain the benefits of his grant-in-aid upon his return.

In a statement announcing the settlement, Hunter indicated he had decided to end the lawsuit because of his desire "to solidify my status as a student and football player."

"I would not want to be allowed to return to the University under a temporary injunction and then half way through the academic semester find that I lost the hearing on a permanent injunction," he said. "This would mean that the effort put into my studies would be wasted and my football career left in complete turmoil."

The settlement also signified the end to Hunter's college football career, since National Collegiate Athletic Association regulations prohibit any athlete from competing for more than a five-year period. He had been previously suspended for the 1974-75 academic year for a parietals violation. Hunter was selected by the Seattle Seahawks of the National Football League last week in a special draft, and will reportedly try out for the team.

Testimony by affidavit

Hunter's problems with the University began when he was informed by Roemer that he and five other athletes were being charged with

violations of parietals in Badin Hall. Although due to the lack of official comment by the University much remains unconfirmed, sources say the allegations involved the players' visits to a former student which were reported to Roemer by former Badin Hall rector Barb Schmich.

The accused students requested a hearing of their cases before the University Judicial Board, as outlined in *du Lac*, the student handbook. Although the option for such a hearing has always existed, it was the first time during Roemer's two-year tenure as dean of students that any student had exercised that right. Other students brought before Roemer for disciplinary action had allowed the dean to hear their cases and make judgement.

The six players were represented at their hearings by Student Government Judicial Coordinators Steve Dane and John Talbot, as provided in *du Lac*. Contrary to some reports in the national media, each of the accused students received a separate hearing, according to Dane. In each case, Roemer acted as prosecutor before the University Judicial Board, composed of three students and three faculty or administrators.

Much of the controversy surrounding the incident involves the manner in which evidence against Hunter and the others was presented at their hearings. The only witness to appear before the board, according to Dane, was the female student who the players were allegedly visiting after parietals. Another source indicated that it was her admission to her rector that she had entertained a number of men in her room after parietals that provoked the charges by Roemer. Her testimony was reportedly called into question since she suffered from psychological difficulties.

Dane reported that testimony instrumental to Hunter's suspension was never presented in person before any judicial board. Affidavits by a security guard and two unidentified Badin residents were submitted to the University J-Board by Roemer, although according to Dane the dean originally intended for the two students to appear in person.

"I have to respect him (Roemer) for that," remarked Dane. He wanted to take their testimony."

Dane added that pressure exerted by Roemer on the pair to appear in person before the Board led them to ask University President Fr. Theodore Hesburgh to allow them to offer testimony in another manner. Hesburgh, according to Dane, personally took the affidavits of the two women and instructed Roemer to submit them to the Board.

According to one source, the affidavits of the women were particularly damaging to Hunter alone, since they stated he had been seen leaving Badin after parietals.

The University J-Board, however, voted to acquit all six of the

[continued on page 8]



A tree fell on this car belonging to an N.D. sophomore's parents. The unsuspecting parents parked the car behind the Rock and later found it smashed by the fallen tree. [Photo by Kevin Walsh]

Students cut from judicial system; decision termed 'non-negotiable'

by Marti Hogan
Editor-in-Chief

Prompted by legal action brought against the University this summer, Notre Dame plans to remove students from the University judicial process and eliminate the tripartite disciplinary board so that all University cases come directly to Dean of Students James Roemer.

University trustees Jack Schneider and Thomas Carney, along with Roemer and Brother Just Paczesny, vice-president for student affairs, outlined the proposed changes in a meeting last Friday for representatives from student government and campus media. Schneider succeeded Carney as chairman of the Board of Trustees' Student Affairs Committee.

Student government and media were invited to offer opinions and suggestions, but Schneider considered student removal from the judicial process "non-negotiable."

Schneider first told the student representatives that the changes were being made because students on the board were under a great deal of stress from peer pressure. "It puts an inordinate responsibility on students when their decision may cause a student to leave the University," he said. He added that students would remain on the hall judicial boards because "they would never be in a position to cause a student to leave school." Schneider also said that students

were under greater pressure to betray the confidentiality of judicial proceedings.

After an hour of questioning, however, Schneider admitted that the major reason for dropping students from the board was to put the University in a better legal position. "We wouldn't have had the problem we had in this situation (under the proposed system)," Schneider commented, referring to the recent Hunter case.

"We regret that we cannot, because of the nature of the previous case, discuss it," Roemer said. He indicated, however, that certain things happened during the deliberation of the University board which showed the student members to be the problem.

Roemer stated that the University wanted a simplified rule that would not expose the University to legal difficulties and that the changes were the University's way of eliminating "legal loop holes."

In response, students questioned the validity of eliminating students from the judicial board. The administrators and trustees agreed, however, that the University procedures are not the same as those in a court of law.

Although the students argued the point, this stand is reinforced by the Preamble of University Rules and Regulations in *du Lac* which states, "The law of the campus, therefore, is somewhat different from the law of the land." It also states that due process at

Notre Dame is different from that in a civil court.

The question was then raised about the fairness of Roemer acting as both prosecutor and judge under the new system. Carney objected to the term "prosecutor," and said that the Dean of Students would investigate both sides of a case.

In the present system, the dean of students or the judicial board first hears cases which can then be appealed to an appellate board. The new Appeals Board will consist of three people chosen by the President of the University from a panel of ten-five faculty and five administrators- for each case that is appealed by the student or the University.

According to the proposed draft, the faculty members would be nominated by the Faculty Senate and the administrative members would be nominated by the vice-president of Student Affairs. The trustees, however, reacted favorably to the suggestion that students be involved indirectly by allowing them to nominate members to this panel.

Under both the present and proposed systems, the final appeal goes to the University President and his decision is final.

Schneider stated that the changes were in a rough-draft stage and that an updated version will be submitted to the Student Life Council in the near future.

The administration hopes to

[continued on page 10]

News Briefs

International

Aborigines suing for land

SIDNEY, Australia - Four aborigines are suing the Australian and British governments in Australia's highest court for \$176 billion in compensation for loss of native lands over the past 200 years. Viewed as test cases, the suits were expected to be followed by more if the verdict is favorable.

National

Farmers to cutback supply

WASHINGTON - President Carter has decided to require farmers to reduce their 1978 wheat plantings to cut back on the wheat supply and thereby bolster farm prices for wheat.

Security guard kills 3

NEWPORT, Ind. - A security guard at the Newport Army Ammunition Center, apparently incensed by a reprimand for insubordination, shot to death his supervisor and two other men last night. Two other persons, including an expectant mother, were wounded.

On Campus Today

- 6:30 p.m. film, "st. augustine," sponsored by howard hall religious commission and academic-cultural commission, howard hall.
- 7 p.m. registration/orientation, american scene lecture series, carroll hall, smc, open to public.
- 7 p.m. dessert for freshman women of smc/nd, stapleton lounge, sponsored by smc student activities.
- 7:30 p.m. film, "Garabandal: apparitions of our lady," sponsored by marian group of nd, free, open to public, library aud., organizational meeting after film.

Weather

Humid with a 20 percent chance of thunderstorms this afternoon with highs in the mid to upper 80s. Cloudy with a 30 percent chance of more rain tonight and tomorrow. Lows around 70 tonight and highs in the mid to upper 80s tomorrow.

Bricklayers die in accident

INDIANAPOLIS [AP] - Three bricklayers, on their final day of lining the inside of a power plant smokestack, plunged 155 feet to their deaths yesterday when a scaffold collapsed, showering 2,000 bricks upon them.

It took workers an hour and a half to uncover and remove the bodies from inside the base of the new,

170-foot steel chimney at the Indianapolis Power & Light Co. generating plant.

The victims were identified as Jim Browning, 50, Indianapolis; Harley Wheeler, 24, Alvordton, Ohio; and Elmer Pearcey, 66, Charleston, Ill.

A fourth worker on the scaffold, George Warren, 54, also of Charleston, Ill., said he escaped by grabbing onto a new load of fire bricks being lowered from a crane into the top of the smokestack.

"It was one of those impossible things that happened-there was no warning," said a shaken Warren, who was treated at a local hospital and released. He explained that one end of the scaffold dropped when one of its support beams at the top of the chimney suddenly snapped.

The men had been on the job for three weeks and were scheduled to complete their work yesterday afternoon. A utility company spokesman said the victims were just 17 rows of bricks from the top when the accident happened.

David E. Sparks resigns as Director of University Libraries

The resignation of David E. Sparks as Director of University Libraries at Notre Dame was announced yesterday by Fr. James T. Burtchaell, provost. Sparks, who has held the post since 1971, will continue to serve as the chief library administrator until his successor is appointed. He is expected to remain at Notre Dame as a member of its library faculty.

mittee on Appointments and Promotions of the Library.

Prior to coming to Notre Dame six years ago, Sparks was associate librarian for public services at Yale University. He is a graduate of Swarthmore College with a master's degree in Romance Linguistics from the Catholic University of America. He later studied library

science at that institution. Previous to his association with Yale, Sparks was at the Library of Congress where he headed the Reference and Library Services Section of the Science and Technology Division. He also held library posts at the University of Vermont, the General Electric Company and the Itek Corporation.

In announcing Spark's resignation, Fr. Burtchaell observed that his tenure has coincided with "years when the importance of the libraries as a chief learning support has been newly emphasized on this campus." He credited to Sparks' leadership the fact the "people at Notre Dame and people who sustain us are much better aware of our need for enlarged library resources, and the significant role of library endowment in our Campaign for Notre Dame goals reflects this."

The provost said that the procedure for selecting a successor to Sparks is set forth in the University's Academic Manual. It will involve consultations between the acting provost and the Faculty Library Committee and the com-

Hotline needs volunteers

The Women's Committee on Sex Offenses is seeking prospective volunteers for S-O-S (Sex Offense Staff), a confidential emotional support service for victims of sexual abuse in St. Joseph County.

Volunteers are men and women who can accompany a victim when seeking medical or legal attention. They are also available for telephone contact.

The S-O-S volunteers can be reached 24 hours a day, 7 days a week through Hotline, a crisis intervention telephone service.

A ten-session training program will begin in the fall with evening sessions. Training focuses on the psychological and emotional needs of victims. Volunteers are also

educated in the areas of medical and legal procedures, referrals and intake procedures. All areas of sexual abuse are discussed, from rape to child molestation to indecent exposure.

Anyone interested in becoming a volunteer or learning more about S-O-S can call Hotline (232-3344).

The Observer is published Monday through Friday except during exam and vacation periods. The Observer is published by students of Notre Dame and St. Mary's College. Subscriptions may be purchased for \$20 per year (\$10 per semester) from The Observer, Box Q, Notre Dame, Indiana 46556. Second class postage paid, Notre Dame Indiana 46556. The Observer is a member of the Associated Press. All reproduction rights are reserved.

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Thurs, Sept 1

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Sat, Sept. 3
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Carroll converted for undergrads; dorm crowding called minimal

by Marian Ulicny
Staff Reporter

Overcrowding in on-campus housing is minimal this year, according to Fr. John Mulcahy, director of housing.

Several freshmen are living in temporary accommodations until they can be placed with roommates in their own class. According to Keenan rector Fr. Richard Conyers, a few men are sharing rooms with residence assistants. Six women occupy the basement of Farley.

"As far as I'm concerned, we're right on target this year," Mulcahy commented. "My main concern is placing freshmen with other freshmen. That's what will take a little time."

Mulcahy estimated that it will be at least a week or two before it is known how many accepted freshmen will definitely not attend Notre Dame this semester. Their places

will then be assigned to the students in temporary housing.

It is expected that ten to fifteen students out of the 1,625 accepted will be "no-shows," John Goldrick, director of admissions, explained.

"We did not oversubscribe this year," Goldrick stated. "There are not more students, just more students who want to live on campus."

The only rise in student enrollment was a planned increase in the number of undergraduate women. Out of 400 admitted, 394 have registered, surpassing last year's total of 371.

In addition to placing freshmen, steps have been taken to alleviate general overcrowding in University dorms. According to Mulcahy, the on-campus population increases every year. Carroll Hall, formerly a graduate student dorm, has been converted to house undergraduates in order to relieve the crowded conditions in Dillion and Morrisey. Grad students have moved to St.

Joseph Hall.

"The University was uncertain what to do with Carroll, whether to renovate it, or tear it down and build a new residence hall," Carroll rector Bro. Paschal Pesce stated. "I imagine it was always in the plans as something kept in reserve until it was needed."

Currently, 69 men are housed in Carroll, 55 of them freshmen. According to Pesce, the dorm is not crowded and is "very comfortable."

A single student has been given housing in the Student Health Center. Sr. Marion Ruidl, health center administrator, explained that the student is living in a guest room on the first floor, away from the patient area.

"He's well provided for, but the situation is very temporary," she stated.

The waiting list for on-campus rooms currently holds the names of 200 men and over 140 women. Some of these students were also on last year's list.

"By last year's mid-semester break, I was able to put everyone on campus who wanted on, but some students had the problem of a nine-month lease," Mulcahy explained, adding, "These students have been carried over until this year."

Mulcahy stressed that he could begin to arrange housing for the waiting students, particularly the men, as soon as the freshmen have been placed.

SMC-ND shuttle service may be limited due to cost

by Maureen Sajbel
Senior Staff Reporter

Students who depend on the St. Mary's-Notre Dame shuttle bus service for evening and weekend use may have to find an alternative form of transportation after November 26. After that date the shuttle will continue to run during class hours, but may not run on weekends or evenings for financial reasons.

The cost of the service was estimated by St. Mary's Controller Jason Lindower, to be between \$75,000 and \$90,000. St. Mary's and Notre Dame each pay slightly over \$25,000 to subsidize the service during class hours. The remainder of the cost goes to the students who pay 15 cents for evening and weekends rides.

After operating at a loss for the 1976-77 school year, the South Bend Public Transportation Company asked each school to pay a 24 percent higher subsidy because of the low revenue during student subsidized hours.

The losses are blamed on the large number of students who ride

the shuttle without paying the bus fare. The service will continue as it has in the past for a 90 day trial period. If in that time the shuttle operates at a loss, the service will be cut down to Monday through Friday daytime service only.

Students and administrators from both St. Mary's and Notre Dame feel the evening and weekend service necessary for many reasons.

"Our students go back and forth a great deal for social reasons. Also, they use the library and go to Notre Dame's religious services," said Mary Laverty, director of Student Activities at St. Mary's.

Laverty and a committee of Notre Dame and St. Mary's students are currently working on a proposal to stop student violations of the bus fare system.

"We are very much open to student suggestions and comments on the shuttle," Laverty declared.

"Those who are not paying show they don't appreciate the service," added Bro. Viator Grzeszkowiak, budget coordinator for Student Affairs at Notre Dame.

Students said the discontinuation of the service "would be like disconnecting the two schools," and would "greatly limit joint activities of the schools if students had to walk back and forth." They also sighted problems that could arise in such areas as security, parietal violations and an increase in hitchhiking.

New seminar offered by Arch. dept.

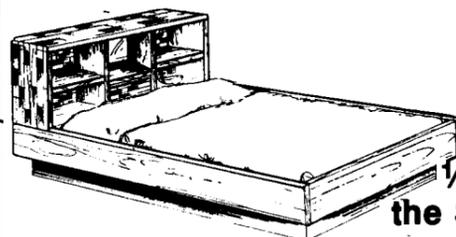
A new seminar, "Landscape Design (Arch 598)," is being offered by the Architecture Department this fall. Students from all disciplines who possess a concern for the irritation which Man's activities and structures cause in the landscape are encouraged to enroll in the course. The seminar will be concerned with how Man's activities and structures can be integrated into the landscape. The seminar's goal is to develop a method to analyze Man-landscape situations and how to translate the solution into physical design.

A meeting will be held for all concerned, Thursday, September 1, at 8:30 a.m. in room 405 of the Architecture Building. Persons unable to attend this meeting may contact Prof. Esmer Bellalta in room 405 of the Architecture Building or by calling 7644. Enrollment in the course is based on an interview with Bellalta.



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Observer seeks new reporters

There will be a meeting tomorrow night for all who are interested in becoming Observer reporters at 7:30 p.m. in the Observer offices on the top floor of LaFortune. All are welcome to attend and see what the Observer is like.

If you want to write for the Observer and are unable to attend this meeting, call Kathy at 7471.

ND announces tuition increase

The University has announced a \$250 tuition increase for undergraduates, bringing the total to \$3,480 a year.

The increase was approved recently by the institution's board of trustees. Fr. Theodore M. Hesburgh, University president, said in a letter to parents of undergraduates that only a tuition rise would enable a balanced budget in the coming fiscal year. He did reassure parents, however, that "the trustees have no intention of raising tuition to the extent that the student body becomes limited to the economically elite." Last academic year, \$9 million in all forms of student aid was given to Notre Dame undergraduates.

Fr. Hesburgh said undergraduate room and board charges will remain at an average of \$1,350 a year. Tuition in Notre Dame's Graduate School is also being raised \$250 a year.

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Remy Martin Cognac	US 5th 9.98
Courvaissier VS	5th 10.78
Hennessy Bras, Arme	5th 10.44
Guckenhaimer	Qts. 4.72
Imperial	Qts. 5.12
Usher's Scotch	Qts. 6.27
Dawson Scotch	1.75 liter 11.40
Passport Scotch	1.75 liter 11.39
Glenlivet	Scotch 12.59
Calto Scotch	Qts. 5.27
Johnnie Walker Red	5th 6.98
Ambassador Scotch	5th 6.47
J. & B Scotch	5th 6.98
Grand Macnish Scotch	1/2 Gal. 11.88
Chivas Regal Scotch	Qts. 13.14
Canadian Mist	Qts. 5.69
Lord Calvert Canadian	1.75 liter 10.67
H.W. Canadian	1.75 liter 9.30
Windsor Canadian	1.75 liter 10.62
Cocktails for Two Pro Mixed	200 ml. 98¢
Arandas White Tequila	1/2 Gal. 10.76
Cuervo White Tequila	1/2 Gal. 13.19
Fonda Blanca Tequila	Qts. 4.92
Ren Rico White Rum	1/2 Gal. 10.10
Appleton White Rum	5th 5.41
Myers Rum	1/2 Gal. 16.45
Bourbon Supreme	1.75 liter 9.79
Antique Bourbon	1.75 liter 10.09
J.W. Pure Bourbon	1.75 liter 10.59
Early Times	1.75 liter 10.19
Jack Daniels	5th 7.37
Jin Beap	1.75 liter 9.90
Benchmark Bourbon	1/2 Gal. 12.48
Ten High	1.75 liter 9.48
Bourbon Deluxe	1.75 liter 8.74
Barclay's Bourbon	Qts. 4.84
Ancient Age	1/2 Gal. 10.62
Old Crow	1.75 liter 10.38
Calvert	1.75 liter 9.80
Kessler's	750 ml. 3.89
PM Deluxe Blend	1.75 liter 8.27
Catty Sark	Qts. 8.81
Ballantine's Scotch	Qts. 7.98
MacKintosh Scotch	Qts. 5.60
Crown Russe Vodka	1.75 liter 8.17
Fleischman's Vodka	1.75 liter 8.40
Belows Gin	1.75 liter 7.94
Burnetts Gin	1.75 liter 10.21
Calvert's Gin	1.75 liter 8.81
Dark Eyes Vodka	750 ml. 3.39
Wolfschmidt Vodka	1.75 liter 8.59
Bombay Gin	5th 6.75
Beefeater Gin	1.75 liter 13.92
Tanqueray Gin	1.75 liter 13.91
Barclay Vodka	Qts. 4.29
Seagram's Gin	1/2 Gal. 9.61
Gibbey's Gin	1.75 liter 9.25
Boodle's Gin	5th 5.59
Boothe's High & Dry Gin	1.75 liter 9.38
Kamchatka Vodka	1.75 liter 7.83
Nikolai Vodka	Qts. 4.42
White Tavern Vodka	1.75 liter 7.97
Smirnoff Vodka	1/2 Gal. 10.82
Skol Vodka	1.75 liter 7.71

LIQUERS	
Galliano	5th 9.98
B & B	5th 9.98
H.W. Sloe Gin	Qts. 4.50
H.W. White Anisette	Qts. 4.35
Campari	5th 5.03

Yukon Jack	5th 6.23
Benedictine	5th 9.32
Amarotto di Sarogno	4th 9.98
Amarotti di Cupora	5th 5.78
Irish Mist	5th 10.20
Drambuie	5th 9.55

WINES	
Real Sangria	1 liter 2.19
T.J. Swann	750 ml. 1.25
Boone's Farm	5th 98
Martini & Rossi Asti Spumante	5th 5.88
Chizzano Asti Spumante	5th 5.69
Barberini Asti Spumante	Gal. 3.19
Tribuno Vermouth	Qts. 2.39
Martini & Rossi Vermouth	5th 3.38
Zonin Lambrusco	5th 1.98
Riunite Lambrusco	5th 2.19
Giacobazzi Lambrusco	5th 2.19
Medici Lambrusco	5th 1.98
Cella Lambrusco	5th 1.98
St. Julian Sherry d'or	5th 1.79
Richard's Wild Irish Rose	5th 1.29
Mogen David Concord	5th 1.79
MD 20/20	5th 1.51
Andre Champagnes	5th 1.89
Jacques Bonet Champagnes	5th 1.89
Korbel Extra Dry Champagne	5th 6.19
Lancer's Rose	5th 3.25
Bolla Valpolicella	5th 2.98
Blue Nun	5th 3.39
Mateus Rose	5th 2.89
Yago Sant Gria	5th 1.99
Spanada	1/2 Gal 2.61

BEER	
Blatz	24 cans 5.29
Busch	12 pack 2.89
Hamms	6 pack 1.39
Olympia Gold	12 pack 3.19
Miller Lite	6 pack 1.60
Millers	12 pack 3.19
Strohs	24 cans 5.80
Pabst	24 cans 5.95
Michelob	6 pack 1.96
Old Style	12 pack 2.75
Old Milwaukee	12 pack 2.48

COLD KEGS	
Falstaff	15.40 28.60
Pabst	15.40 28.60
Hamms	16.50 26.40
Strohs	16.50 28.05
Budweiser	30.25
Michelob	17.60 33.00
Busch	28.05
Miller	17.05 30.05
Miller Lite	30.25
Schlitz	17.05 30.25

RETURNABLE BEER	
Strohs	5.94
Budweiser	6.82
Busch	6.82
Pfeiffers	3.69
Hamms	5.94
Huber	3.59
Fox Deluxe	3.49
Miller	6.80
Pabst	5.89
Old Milwaukee	5.12
Blatz	5.89
Miller Lite	6.82
Falstaff	5.89
Schlitz	6.82
Ballantine	3.58
Goebel	4.02
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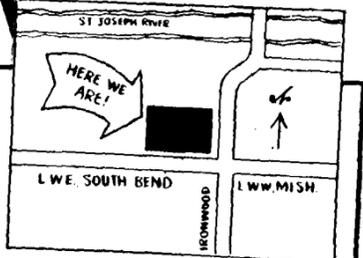
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Danehy case pends; trial anticipated in late fall

by Joan Fromeau
Senior Staff Reporter

The case of Professor James P. Danehy vs. Notre Dame is still awaiting trial, pending the court's decision on the University's motion to dismiss the case.

In a recent letter sent to interested friends, Danehy, a tenured professor of Organic Chemistry, offered an update of his case against the University. Danehy filed suit against the University last spring when he was notified that, according to University regulations, he would automatically become Professor Emeritus at age 65. He was later notified he would not be allowed to teach his summer course in Organic Chemistry. Danehy reached the age of 65 in June.

According to University policy, his position as tenured professor would then be reevaluated on a yearly basis. Danehy believes that "compulsory retirement, based on age alone, is arbitrary, discriminatory and unjust," and the purpose of his suit is to prove discrimination on the part of the University against professors who have reached the age of 65.

Danehy, as the plaintiff in his case contends that "once a professor has tenure, his right should be well protected." A brief, filed last April, in response to the Univer-

sity's motion to dismiss the case, which was also filed in April states, "Professor James P. Danehy could claim discrimination against him when other faculty members, both younger than 65 and older, have been retained in employment, and further when non-faculty members are encouraged to remain in employment, and further when non-faculty members are encouraged to remain in employment past age 65 and including age 72."

The brief continues, "Danehy has a vested right by tenure to continued employment as determined by his single contract, plaintiff has also presented the question whether the contract procedures followed have conclusively determined that he was not the best man for the job. Finally, everything done must in no way discriminate against plaintiff's right to work, so as to deny him equal protection of the laws."

Danehy states in his letter that he decided to file suit when his attempts to gain continuation of his position proved unsuccessful. When he received no reply from his last letter to Fr. James Burtchaell, then university provost, he contacted his attorney, Paul B. Kusbach, and a complaint was filed in St. Joseph Superior Court Feb. 28, when the University had still failed to consider his position.

The University, represented by Phillip J. Faccenda, then filed a motion to dismiss the case on the grounds that Danehy failed to comply with a certain Indiana trial rule of procedure.

Before the end of last March, Danehy was granted a change of venue to the Starke County Circuit Court in Knox, Indiana. Kusbach, through the court, asked the administration to furnish the names of all faculty members who, "during the last ten years, had reached 65 years and had been allowed to continue in full or part-time employment, for how many years they had post-65 employment, and by what process they had arrived at the decision in each case," Danehy's letter states.

The five members of the chemistry department Committee on Appointments and Promotions, (CAP), were asked to make decisions regarding their actions in the case.

On May 4, the hearing convened to decide whether or not to dismiss the case. That day, "Two substantive actions took place," according to Danehy. Faccenda restored Danehy's summer employment, and the judge ordered that "the CAP depositions, thrice delayed by the administrations' two attorneys, must be made within two weeks."

The five CAP members were individually questioned May 19 by Kusbach. Proceedings were "largely frustrated by the fact that the administration's hired attorney objected and refused to allow his clients to answer 77 times."

The court convened again July 29. "The judge ruled that the administration supply the written interrogatories originally requested by Kusbach on March 9."

Because the judge was starting

his vacation the next day, he would not have had a chance to go over the 130 page deposition or rule on the 77 disputed questions until after Aug. 15. The judge is still reviewing the deposition for decision.

At present, Danehy is not employed by the University. He hopes a ruling on the motion to dismiss the case will be made by mid October and that if the decision is in his favor, the case will go to trial some time in the late fall.

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Problems delay construction work

by Diane Wilson
Staff Reporter

With the engineering building addition five weeks behind, the projected date of completion is still Jan 1, 1979, according to Mike Bryant, project director from Hickey Construction.

Some of the reasons for the delay include delivery problems of materials as well as rain washouts that had to be re-dug by hand, said Bryant. One major problem was the shoring up of the south wall of the existing building, which was not in the original plan, he added.

While Bryant does not expect any more immediate problems, if the weather this winter is very cold, there could be additional delays. Some work will be able to be done in the interior of the part of the building already completed. But no outside work will be able to be done if it gets really cold, explained Bryant.

The project director is hoping that work days will soon be able to be extended to help make up some of the lost time. At the present, though, this is not certain.

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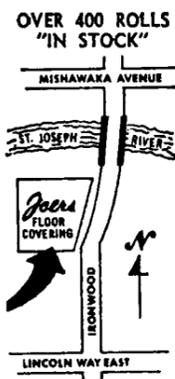
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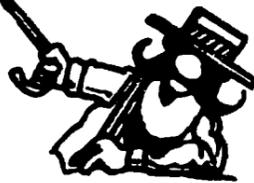
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On Two Counts

Over two weeks ago, the University of Notre Dame and Al Hunter reached a settlement in their dispute over disciplinary proceedings in which Hunter was involved. Both parties to the dispute are apparently satisfied, but the use of the rarely-convened University Judicial Board resulted in questionable actions on the part of University administrators.

The first difficulty in assessing the events involved is that much of du Lac is vague enough to be subject to differing interpretations. This became so obvious during the course of the legal action that the administration and trustees plan extensive revisions in the section on "University Rules and Regulations."

But the rules are clear enough to indicate that Hunter was questionably deprived of his right to "access to the names of prospective witnesses and the right to confront them openly at the hearing, except in extraordinary circumstances as provided in the rules of the University Judicial Board" (Item 11, "Student Rights in Disciplinary Proceedings," du Lac).

The qualifying clause of this item was invoked in Hunter's case with no apparent justification. Were the witnesses in some physical or psychological danger? University President Fr. Theodore Hesburgh made the decision to protect their anonymity, and only he can give the reason.

Yet John Lucey, assistant professor of Aerospace and Mechanical Engineering and chairman of the Judicial Board, observed to Hesburgh that "the decision to allow the two (witnesses) to remain unnamed and unexamined at the hearing was a disservice to them as maturing adults and a disservice to the University's judicial procedure."

seriously, folks

Right to Life

art buchwald

WASHINGTON--Every time you have a "Son of Sam"-type incident, there is an outcry for some kind of national gun legislation which will hopefully prevent guns from getting into the hands of the "sickies," of which this country seems to have more than its share. Then, as soon as the publicity dies down, the matter is forgotten until the next main media event gets people excited again.

The reason you can't get Congress to pass any decent antigun legislation is that one of the strongest lobbies in Washington is the National Rifle Assn., and the weakest groups are the antigun people.

Finstermeister, who has been trying to get Congress to address itself to the problem, may have come up with a solution.

He told me, "We can't get congressmen or senators to budge on gun control because no one pays any attention to us. They think we're kooks."

"You're a voice crying in the wilderness," I admitted.

"But there is a solution. I think the gun control people should hook up with the Right to Life proponents."

"They're against abortion," I said.

"That's true. But why are they against abortion? Because they

maintain you're killing someone when you remove a fetus. Since they're interested in saving the life of a person, it follows that they should work for gun control as well."

"But the National Rifle Assn. maintains that guns don't kill people--people kill people."

"That's true, but the majority of people killed were killed with guns. Now there is some question of whether or not a fetus is a person. For the sake of getting the Right to Life people on our side, I'm willing to buy 'the fetus is a person' theory if they'll buy our thesis that a person being shot by a gun is also a live human being and should have the same protection as an unborn baby."

"That's a tough one for the Right to Life lobby. Being antiabortion is one thing. But when you want them to come out against killing real people with guns, you're opening a whole new can of beans."

"It's the same can," Finstermeister insisted. "You're either for life or against it. Whether it's a doctor who takes a wife performing an abortion or someone with a handgun drilling his wife or best friend, you're snuffing out someone. The Right to Life people should be able to understand that. Even HEW Secretary Joe Califano should be able to understand it."

"If we do not ask our students to accept their responsibilities to this community," Lucey asked, "how can we expect them to honor their responsibility to the larger community upon leaving the University?"

The absence of the two witnesses hampered the Board in its attempt to reach a fair and just decision. Their inability to assess the testimony of two absent and anonymous persons doubtless had a strong effect on the Board's verdict.

The second abuse of judicial regulations in the Hunter case falls under Item 2d in "Disciplinary Procedures," du Lac:

"Final decisions of the Dean of Students, hearing officer or the University Board may be appealed to the Appeals Board within five school days after receiving a written notification of such final decision..."

The hearing took place May 9. Judicial Coordinators John Talbot and Steve Dane were told by Roemer that Hunter would have until midnight to file for appeal (presumably because May 9 was the last class day of the semester). Yet Roemer himself appealed the case on May 24, fifteen days past the deadline! And despite this violation of the time limit regulation, the Appeals Board accepted Roemer's appeal!!

Both of the instances cited above indicate that the University abused its own judicial process in Al Hunter's case. Whether Hunter is innocent or guilty may never be known and is immaterial to the considerations at hand. No judicial system is guaranteed to punish all of the guilty and protect all of the innocent. We can only trust that if the system is fair and is exercised by men and women of good will, then justice will be served to the best of human ability. In this case, the University seems to have fallen short on both counts.

*The Observer

an independent student newspaper serving notre dame and st. mary's

The Observer is published by students of the University of Notre Dame and St. Mary's College. It does not necessarily reflect the policies 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 letters are encouraged to promote the free expression of varying opinions on campus.

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Wednesday, August 31, 1977

P.O. BOX Q

Editor's Note: The following letter was received after The Observer stopped publication last spring. The subject matter is always timely, however, so we print it with this note of explanation.

Dear Editor:

In reference to John Hannan's reply to Dr. Stewart's opinion column concerning Blacks and Notre Dame, I would like to address myself to one specific point. Mr. Hannan points out that the entire Black student population at Notre Dame constitutes 2.5 percent of the student body; it should also be pointed out that this figure (it was actually 2.2 percent for academic year 1976-1977) was substantially lower than Northwestern, the University of Pittsburgh, St. Louis University, Brandeis as

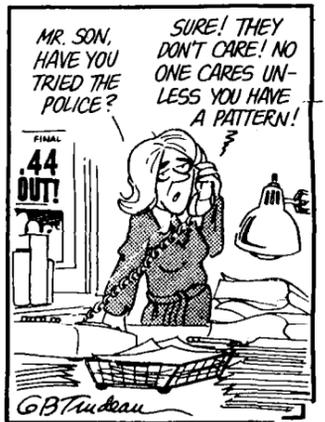
well as numerous other universities, and yes including Harvard and M.I.T. Perhaps the Notre Dame Community ought to address itself to the question of why this is so, especially in view of our oft-quoted insitutional ideals and Father Hesburgh's special interest in civil and human rights. Maybe Dr. Stewart is telling us that it is about time Notre Dame translated its rhetoric and lip service into more action. A larger Black student population here would surely go a long way to help eliminate many of the problems recently brought to light. Yes, this will take more money--but shouldn't we put our money where our mouth is?

Morton S. Fuchs
Professor of Biology

by Garry Trudeau



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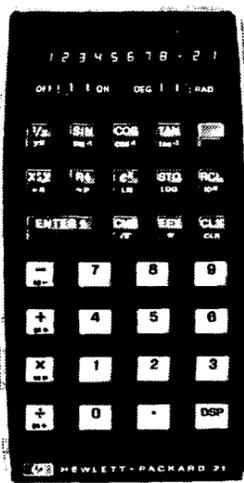
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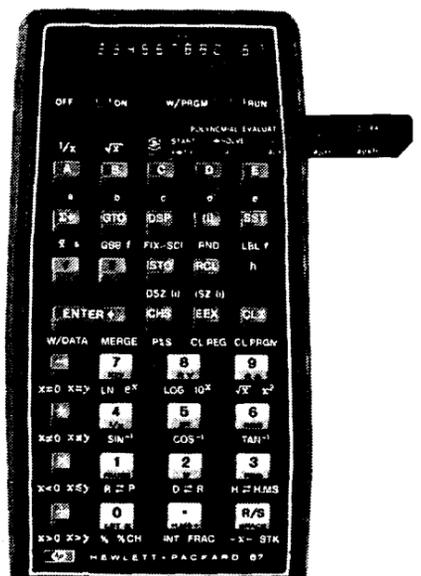
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Carter working on urban policy

WASHINGTON [AP] - Working in the glare of public complaints that the administration has ignored the plight of the nation's poor and its cities, President Carter is stepping up his efforts to deliver a national urban policy, sources said yesterday.

An official in the Department of Housing and Urban Development said a national urban strategy should be completed early next year, perhaps for inclusion in Carter's January state-of-the-union address.

Several sources said there is likely to be no dramatic initiative in the program, in the words of one White House aide, "certainly nothing comparable to the Great Society."

Treasury Department officials are expected to recommend some version of a domestic development bank that would provide low-interest loans to private companies doing business in the struggling cities. Carter has said he would consider such a proposal.

The President was angered last month by criticism from civil rights leaders that he had neglected the problems of the nation's black community and others who are poor, and of the cities in general.

At a meeting of black civil rights leaders Monday in New York City, Rev. Jesse Jackson told reporters, "We put President Carter in office and from him we will not suffer from callous neglect."

White House Press Secretary Jody Powell reported Carter's request and told reporters: "We can't expect to have everyone pleased with what we do but we will do our best."

A spokesman for HUD said Carter's urban and regional development task force has been having daily work sessions for two weeks preparing staff work on the urban strategy.

The task force is a cabinet-level group headed by HUD Secretary Patricia Harris and including secretaries W. Michael Blumenthal of Treasury, Juanita Kreps of Commerce, Ray Marshall of Labor, Brock Adams of Transportation, and Joseph Califano of Health, Education and Welfare.

The Carter team already has indicated its intention to stress economic development activities for troubled cities, rather than broad social programs.

Along these lines, Congress is considering Carter's request for \$400 million for economic development through HUD and the Commerce Department is lobbying within the administration to triple its \$320 million economic development administration budget.



A new laundromat has been opened for male N.D. students in the basement of Badin Hall. [Photo by Leo Hansen]

Laudromat open for males

by Rosemary Mills
Staff Reporter

Acting upon a 1976 Student Government proposal, a laundromat for male students has been opened in the basement of Badin Hall.

According to Bro. Keiran Ryan, assistant vice-president for Business Affairs, the six washers and dryers will be available on a 24-hour basis. The coin-operated machines will cost the standard price of 35 cents for a wash cycle and ten cents for one dry cycle.

The proposal was originally sub-

mitted to the office of Business Affairs by the Student Government in November of 1976 in response to the numerous criticisms voiced by male students about the laundry service. The proposal was passed on to the office of Business Affairs to find a location other than LaFortune Student Center for the laundromat. Lack of space and the problem of unpleasant odors were cited as reasons why LaFortune would not be acceptable.

Although there are no plans at present for machines to be added, the idea might be considered if the demand were great enough, Ryan said.



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[continued from page 1]

accused students. In a letter to Hesburgh explaining the decision, Board chairman John Lucey, assistant professor of Aerospace and Mechanical Engineering, reported that the board had "a most difficult time in assessing the written testimony provided by anonymous witnesses. Had they been present, and their testimony verified and amplified under direct cross examination, it is possible that some, or all, of our decisions might have been different." Lucey added that the testimony of students was "accepted."

The belief that Hunter had been acquitted on a technicality apparently motivated the administration to appeal the case to the next highest level in the judicial system, the University Appeals Board, composed of one student, one faculty member and one administrator. Roemer appealed the decision on May 24, citing as reason for appeal an "abuse of discretion" by the University Judicial Board in its failure to consider the written evidence. In response, Dane and Talbot sent a letter to Fr. Carl Ebby, chairman of the Appeals Board, which argued that there were no extraordinary circumstances applying to Hunter's case which necessitated the use of written evidence.

The letter also asserted that the decision to accept the affidavits as testimony "was arbitrarily made by only one person - Fr. Hesburgh. We cannot understand why he would do this, nor do we understand what authority he has to do it."

Hunter, Talbot and Dane also objected to the irregular appeal, which came over two weeks after the last possible date for appeal as specified in *du Lac*.

"Roemer said he convened the Appeals Board because he didn't think we wanted to go right to Hesburgh," noted Dane. A major contention of Hunter's subsequent lawsuit was that the University violated its own procedures by appealing after their established deadline, the last class day.

[continued on page 10]



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Campaign for ND passes half-way point

by Marti Hogan
Editor-in-Chief
and
Katie Kerwin
News Editor

The Campaign for Notre Dame, a five-year development program instituted to increase the University's endowment, this summer passed the half-way mark to its goal of \$130 million.

To date, \$70,150,000 in gifts and commitments has been received, according to James Murphy, vice-president for public relations and development.

The goal of the campaign, kicked off April 15, is to "undergird our academic future with dramatically increased permanent endowment," said University President Theodore Hesburgh.

At present, Notre Dame's \$108 million endowment is the largest of any Catholic university, but smaller than that of many leading independent universities. Hesburgh cited the reason for increasing the endowment saying, "If you take the ten universities in this country with the largest endowment, you will have the ten best universities in this country."

Almost 75 percent of the campaign's goal, \$92 million will be set aside for Notre Dame's endowment

according to John T. Ryan, University trustee and chairman of the campaign, \$57.8 million or 45 percent of the goal, has already been committed to the program in advance gifts.

"It's the most important thing that has ever been done at this University," said Hesburgh. He said he is confident that the drive will be a success.

According to Hesburgh, Notre Dame people have "a divine dissatisfaction if they're not sure of the very best... We're not only going to make our goal, we're going to surpass it."

Edmund Stephan, director of the University Board of Trustees, sees an "enormous change in the interest and involvement" of the Board in this campaign and states that the Board "has great confidence in its (the campaign's) success."

The Campaign for Notre Dame grew out of the recommendation of the Committee on University Priorities (COUP) which reported in December 1973. The committee's recommendations were then formed into development goals after involved consultation with University trustees, members of its advisory councils and leaders.

The major portion of the endowment will cover named professorships, the Memorial Library collec-

tion, student aid, campus ministry and a variety of research, educational and service programs, especially in the area of the Catholic Church.

In addition to the endowment, \$29.3 million is slated for physical facilities including a classroom-faculty office building, a chemical research structure, and an undergraduate residence hall. Also, extensive renovation is scheduled for the Administration Building and Washington Hall.

The campaign also seeks \$8.7 million in unrestricted funds to underwrite current operations.

The initial stages of the actual campaign began in January 1976 when the University used a unique approach termed "the fly-in." In a series of 20 weekends, 120 friends of Notre Dame were flown in for a weekend on campus to observe how the University was progressing at the present time and to learn the "hopes and aspirations" of Notre Dame for the future. Later these friends, including trustees, alumni and members of the advisory councils, started the campaign with pledges or contributions.

From that time the drive has been planned and organized by many people including John T.

Ryan and Ernestine Carmichael, trustees and co-chairpersons of the campaign; James Frick, vice president for public relations and development at Notre Dame; Paul Foley, chairman of the Committee on Public Relations and Development of the Board of Trustees; Stephan and workers for the National Campaign Committee. One alumnus and campaign worker commented, "I'm sure the invasion of Europe was less well-planned."

Over the summer, the campaign entered a new phase, which has been dubbed "Special Gifts." Luncheons and dinners are being held across the United States for potential benefactors. University representatives speak to the guests about the campaign and its goals.

Events have been held already in Fort Wayne, the Calumet region of northern Indiana, Milwaukee, Minneapolis-St. Paul, and Pittsburgh. Dinners and luncheons are scheduled in Chicago, New York City, Washington, D.C., Los Angeles and San Francisco for the coming months.

During the next two years, "visiting teams" will be traveling to 42 key cities in the country to solicit from "2000-plus prospects" who

might contribute \$5000 to \$50,000. Hesburgh announced that the campaign "will involve the whole country if not the world." Telephone calls and direct mail will be used in the campaign process, although personal interviews will be conducted as much as possible.

As the ninth largest campaign now in progress in American universities, the Campaign for Notre Dame will more than double the \$52 million goal set in Summa its last fund-raising drive, which concluded in 1972. Between 1960 and 1972, Notre Dame raised more than \$108 million, much of which went to construct the library and the Athletic and Convocation Center (ACC). That total included \$12 million in matching funds from the Ford Foundation through its "Special Program in Education," designed to create regional centers of academic excellence.

Hesburgh noted that many other universities seem to be having difficulty with their campaigns, but that Notre Dame's fund raising drive has met with "enormous enthusiasm" so far. He added that there is still a good deal of work left to do. "We hope when the campaign is over, we will be ranked with the 10-15 top universities."

Administration changes in dorms, student affairs

by Kevin M. Walsh
Staff Reporter

A number of administrative changes have been announced for this year. Notably, Fr. Gregory Green has assumed the duties of assistant vice president for Student Affairs, replacing Fr. Terrance Lally, who is presently continuing his studies at the Illinois School of Professional Psychology.

Discussing his duties, Green said, "The principal task of the job is to deal with the staff of each residence hall helping them fill opening, perform their duties, and develop ministries."

Green, who was the rector of Sorin Hall last year, resigned that duty upon his appointment as vice

president. He felt that each job involved too much work, thus making it difficult to devote enough time to either one. Green, however, remains in Sorin as an assistant rector.

Eleven halls have new rectors or assistant rectors but, according to Green, such a turnover is common each year. Many such staff members are at Notre Dame to do graduate work for a short time and leave upon its completion.

Another administrative change is the promotion of Mr. Carl Magel to director of Printing and Publication from the position of assistant director. The position of assistant director has been abolished.

Magel replaces Renald Parent who is editor of the Notre Dame Magazine.

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IMPRESSIVE!



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The amazing system is built around some incredible loudspeakers from the Advent Corporation, the company that has a reputation for making better and better speakers for less and less money.

The Advent 3 speakers are a two way acoustic suspension design whose basic operation is much like that of Advent's more expensive speaker systems. Its woofer's cone is free to move over a great distance to push air effectively for good bass response, and it has a heavy and expensive magnetic structure that permits excellent undistorted output. A precise cone tweeter assures clear highs with excellent dispersion.

To drive these little gems, we've chosen the Sony StR 1800 receiver. If you're into FM, the tuner section of the StR 1800 has all the circuitry and features you'll need for drift-free, clear FM reception.

And if you're inclined to listen to Chicago stations the Sony 1800 receiver will surprise you and disappoint the competition.

The turntable is the now famous BIC 920 ready to play with moulded base and an Audio Technica cartridge. It will take good care of your records and get all the sound they have to offer playing after playing.

These components would sell separately for \$415; we offer you the complete system for \$299. The price includes assembly and the services only Audio Specialists can offer.

Come in and enjoy.

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Berkowitz declared insane; chances for trial diminishing

NEW YORK [AP] - A psychiatric report called David Berkowitz "an incapacitated person" yesterday and increased the likelihood that he will never stand trial for the six "Son of Sam" murders.

Two court-appointed psychiatrists said that "as a result of mental disease or defect," the 24-year-old Bronx postal employee "lacks capacity to understand the proceedings against him or to assist in his own defense."

Those are the criteria for competence to stand trial in New York state.

If the findings stand, Berkowitz would be ordered incarcerated in a state institution for the criminally insane. He would not be brought to trial unless he later were judged to have recovered his sanity, which the psychiatrists said was questionable.

However, Brooklyn Dist. Atty. Eugene Gold won the right to have his own psychiatrists examine berkowitz.

"As the district attorney of this court," Gold declared, "it is my

opinion that Mr. Berkowitz is fit to stand trial."

Brooklyn State Supreme Court Justice Gerald Held gave the state until Oct. 4 to present any conflicting psychiatric data that might open the way to a trial. In New York, the Supreme Court is a trial court and the Court of Appeals is the highest state court.

The murders of six young people, and the wounding of seven others, were carried out over a year of terror, always at night and with a .44-caliber revolver. The gunman concentrated on couples in parked cars and left sometimes taunting notes for the police and the media, eventually adopting the name "Son of Sam."

Berkowitz, who was arrested Aug. 10 after a parking ticket issued near the site of one killing led police to him, came to court Tuesday morning with an escort of nine police cars and a police helicopter.

He displayed no reaction during the brief legal proceedings as his

alleged mental shortcomings were read in the letter covering the psychiatrists' eight page opinion.

Held read from the cover letter of the report in court, but ordered that the document be resealed and that those familiar with it not discuss it.

Berkowitz is under indictment in Brooklyn for the last of the .44 caliber attacks—a July 31 assault that killed Stacy Moskowitz, 20, and partially blinded her date, Robert Violante, also 20.

In addition, Berkowitz has been indicted in the Bronx for three murders and the wounding of a fourth person, and in Queens for two killings and five woundings.

The Bronx and Queens indictments are being put off pending a finding in the Brooklyn case. Court sources said a finding that Berkowitz is incompetent would shelve those indictments.

After yesterday's court session, Berkowitz was returned to an isolation yard at Kings County Hospital, where he had been confined since his arrest.



Linda Ronstadt, performing Monday night at the ACC, gave students something to take their minds off schoolbooks. [photo by John Calcutt]

Judicial system eliminates students

[continued from page 1]

present a final draft to the Board of Trustees at its Oct. 21 meeting so the new regulations may be implemented this fall.

Student Body President Dave Bender will also appoint a committee to study the proposed University changes as well as student suggestions. Bender's committee will consist of two faculty members, two administrators and two students, chosen as "the best and most creative minds on campus who understand the judicial board inside and out." He stated that a big problem with the judicial process is the lack of people who understand how the process works.

Bender is also forming a drafting group to study *du Lac* and to rewrite sections, including the proposed disciplinary changes, where necessary. Schneider informed Bender that his recommendations would be considered but that they would not constitute the final draft.

The drafting group will be working 6-9 p.m. Monday through Friday next week and will be open to serious student suggestions. Bender plans to announce the members of both committees this Monday.

Hunter case remains unclear

[continued from page 8]

The Appeals Board unanimously reversed the decision of the lower board on June 1 and recommended that Hunter be suspended for the fall semester. Dane accompanied Hunter on his final appeal to Hesburgh, which was denied.

Hunter then initiated legal action to obtain his reinstatement. He told a July 8 press conference that he wanted to stress that he had been found innocent, and had "no other recourse except a court of law to redress this wrong." The parties reached their settlement five weeks later.

Although University officials will not discuss any aspect of the Hunter case, major adjustments of the *du Lac* disciplinary code will be presented to the University's Board of Trustees for their approval in October. The changes are designed to reduce the likelihood that the University will face similar lawsuits for the conduct of their disciplinary policy.

It won't prove you're 21, but...



... this card will let you call long distance from your room faster and at less cost than any other way.

If you live in a residence hall, making a long distance call can be a hassle.

You either have to call collect (and that costs extra), or wait in line at a pay phone with a couple of pounds of change in your pocket.

Well, there's a way around all that. Get your free STUDENT BILLING CARD from Indiana Bell. A Student Billing Card lets you make

long distance calls from the privacy of your room, and at direct-dial rates. That's a lot easier and more economical than any other way. Besides, there's no waiting in line, and you keep the change. To get your STUDENT BILLING CARD just call 237-8182.



Local bars renovated; Fat Wally's closes

by Chris Datzman
Staff Reporter

Students returning to the Notre Dame-St. Mary's community this past week found more than the bedsheets and the Engineering Building changed. Just a few blocks away, several favorite student hangouts also underwent renovations.

Work on the Library on Notre Dame Avenue began just three weeks after graduation last May and ended a week ago. Besides a new ceiling, bar, and dance floor, the atmosphere has, according to manager Rick Kanser, become more "organized." The main bar room now has new chairs and tables for patrons to sit and socialize, while the dance floor has been moved into another room. New video games have been added and the women's restroom was completely remodeled.

Draft beer has been replaced by cans of Miller, Lite and Pabst for 75 cents each. The slight hike in prices is partly to pay for renovations. But a more important reason for the switch to cans was convenience, Kansner explained.

"We had a lot of glass breakage last year and also spillage on the floor," he said. "By the end of the night it was a mess. Also from a business aspect it's easier for inventory, and in addition, customers know that they're getting a 12 ounce can instead of a ten or eight ounce glass."

Nickies also replaced draft and bottled beer with cans. The interior has remained basically the same as last year except for a new paint job.

On the outskirts of the Notre Dame campus, the Alumni-Senior Bar underwent a considerable facelift. Twenty-five employees returned a week early to remodel and paint the entire building.

The upstairs "Michelob Room" was refurbished with a step-up platform and a new furniture set.

The downstairs "Bud room" or "game room" is equipped with a new bar, sound system and dance floor. Food sales have been temporarily discontinued, but Manager Jim Dunne hopes to have chips and fast foods installed soon.

Beer prices in the Senior Bar have also increased, said Dunne, because of an increase in keg prices. Busch, Bud, Stroh's and a new addition, Busch light are priced at fifty cents for a twelve ounce glass. Draft Michelob and Heineken sell for sixty cents and one dollar, respectively.

"We don't like to raise our prices," Dunne stated, "but our operating costs increased. Once we can pay off the debt from last year, pay our employees and put some money in the Senior Scholarship Fund, then we hope to bring the prices back down next spring."

So far the Senior Class has sold over 400 bar cards, more than any other year. This represents a large percentage of the class, and Dunne hopes to sell even more.

On Corby Street the infamous black wall of Corby's has been rebuilt and, according to John "Sweeney" Bruns ND '77, is much more structurally sound. An inside wall has also been removed to open up the back room and provide more space for pool and a new dart board. "Corby's still has everything from highballs to draft beer to cans to bottles of imported beer," Bruns declared.

Across the street at Bridget McGuire's, the only change was the addition of more antiques, in keeping with the bar's theme of "I Believe in Yesterday." In the near future, Bridget's hopes to be adding some memorabilia from the Four Horsemen. Theresa Bauer SMC '68, manager of Bridget's, added that their stereo system is "equipped with just about any tape anyone would like to hear."

Bridget's offers a large selection of beer and liquor which, according to Bauer, is all prorate according to their cost. Bridget's also



This past summer Senior Bar has been painted and remodeled. [l to r] Jim Dunne, Ken Ricci and Rob Civitello, managers of Senior Bar, prepare to open the season. [Photo by Leo Hansen]

features a Ladies Night every Wednesday from 7-10 with mixed drinks at half price.

And Fat Wally's has closed due to financial problems and violations of the Indiana Drinking Code.

Alanon forms

discussion group

A campus spokesman for Alanon, a national group dealing with alcoholism, has announced the formation of a discussion group for persons concerned by a friend or family member with an alcohol problem. Schedule plans will be made soon. Interested persons should call 8809 for information.

Volunteers needed

The Sacred Heart Parish needs volunteers to teach catechism-classes Sunday mornings from 9:30 a.m. to 10:45 a.m. Also needed are musicians for the Family Mass at 11:00 in the Crypt. Persons interested should call Mollie Bernard, director of religious education, at 272-1245.

All the bar managers and bartenders expressed hopes for a good year without any trouble. One bartender warned students without an I.D. or with a fake I.D. to "stay away" because the Alcoholic Beverage Commission is "cracking down." Students are also asked to keep noise and litter to a minimum as the South Bend Police will be patrolling the area and ticketing violators.

5th Annual Big Brothers/Big Sisters Picnic

Sunday, September 11, 1977 1pm-5:30pm
Potawatomi Park Ovens 22, 23, 24

Bring own meal and table service
and (1) dish to share.

Soft drinks and potato chips
will be provided.

Classified Ads

FOR RENT

Country house for rent located 10 to 12 minutes from Notre Dame. Ideal for 1, 2 or 3 people. Call 277-3604.

WANTED

Musicians - interested in being part of a group to play for liturgies in halls of Sacred Heart. Call 6536 or 8832 between 9 a.m. and 5 p.m.

Doc. Pierce's Saloon is hiring full or part-time Bartenders, Cocktail waitresses and Food Servers. Must be 21. Apply in Person Sept. 6-8 from 3 to 6 p.m. 120 N. Main St., Mishawaka.

Wanted - Two Pitt tickets. Call Bob 8330.

HELP. I need 3 roommates to live in an apartment at the Notre Dame Avenue Apartments. \$280 a month. If interested, please call 283-1715 and ask for Drew.

FOR SALE

PANDORA'S HAS THE FOLLOWING USED BOOKS AVAILABLE:

AM ST - 352, 381, 473, 476, 482

ART - 324

COL SEM
ENG +109, 113, 180, 185, 321, 322, 328, 333, 385, 386, 390, 392A, 399, 404A, 432, 461, 486, 496, 585, 593, 654A

GEN PROG- 191-181, 245, 281, 381, 481

GOVT - 280, 343, 407, 420, 421, 641

HIST - 109, 111, 180, 301, 305, 337, 344B, 345F, 411, 459, 477, 479, 520-526, 653

MOD L - 180, 190, 430, 433, 441

PHIL - 101, 180, 201, 241, 245, 275, 277, 278, 301, 329, 351, 429

PSYCH - 180

SPEECH DRAMA - 135, 180, 392

THEO - 200, 247, 255, 336, 353, 364, 373, 421, 425, 441, 454, 555

SOC - 114, 346, 369, 371, 503N

937 SOUTH BEND AVE.



HEATH AR-15 receiver, 50 watts channel, walnut cabinet. Call 234-1596 on weekends or after 5:30 p.m. Best offer.

For Sale - Davis tennis racket and cover. Very good condition. Call Bob 8330.

PERSONALS

A lot of chicks dig Jimmy Dunne III.

5th FLOOR REGINA NORTH - (old and new) - WE ARE HAVING A REUNION THIS THURSDAY AT 7:30 pm IN REGINA NORTH LOUNGE OR BASEMENT. SIGNS WILL BE POSTED. PLEASE COME.

AD STAFF - (those of you who were here) congratulations on one hell of a job. Keep it up. S.B.

Civi, Chupe, Judy and Mike. Tons of thanks for Friday nights performance. It's all downhill from here. S.B.

CEIL. Thanks for your help this first week. Should be much smoother sailing from here on in. S.B.

NEED RIDE TO WEST SIDE OF CLEVELAND FOR ANY WEEK + END. CALL KATHY 1244.

Photographers Needed for Observer Staff

- Darkroom Experience Required
- Call Leo Hansen 287-7051 or Observer.

Photography Meeting

Thus. Night 8pm
at Observer Office

catch a buzz at

Smoky Buzzy

general record store and what-not shoppe



WELCOME BACK (or to)
SALE during September

\$1.00 any LP
off ceramic and plaster things
with Student ID

we're at: 207 N. Michigan St.
River Bend Plaza
next to Morris Civic Auditorium

hours:
11 to 7 pm Mon - Thurs
11 to 9 pm Fri - Sat

ND gridgers await third scrimmage

by Paul Stevenson
Sports Editor

Collegiate football fans across the country are looking to South Bend, IN for a football team that will do it all in the 1977 gridiron season. However, there is a great deal of improvement needed before the Irish debut in Pittsburgh on September 10.

"If we are to accomplish anything of note this season, we are going to have to come up with some key performers in several crucial positions where we lost outstanding players," stated Head Coach Dan Devine.

One of these "crucial positions" is at quarterback. Rick Slager, who held the number-one signal calling position for the past two seasons, has been lost to graduation. Rusty Lisch has been called on to replace Slager, a position he earned because of his superior performance in last spring's Blue-Gold game.

However, Lisch's performance this past Saturday in the team's second scrimmage of the fall was not overly spectacular. The Belleville, IL native completed only two out of eight passes for 40 yards while being intercepted three times.

Meanwhile, the number-two quarterback was not having a legendary afternoon. Gary Forystek connected on only one of three passes while giving up an interception.

Monte Towle

Endless Summer

Tidbits

The vacation need not end although the commencement of classes is forcing many of us to leave summer behind. Maybe our free time borders on extinction here, but surely we aren't going to let our studies push aside the memories of this past summer. Permit yourselves the opportunities to bask in the warmth of the summer sun as we relive the memories, both good and bad, which will forever give life to the Summer of '77.

Rita Coolidge...R2D2...Sam's talking dog...Jacqueline Bisset in her wet diving clothes...five weeks of hot Army ROTC training in Kansas...a broken four wood. These and other more personal memories highlighted my summer. Even the summer sports scene offered its share of memorable heroes and heroics, although M. Donald Grant's summer wasn't so enjoyable.

Pandemonium swept through Chicago as the Cubs and White Sox rocked the baseball world with hints of a subway series. The season is not over yet, but already the Summer of '77 has granted a wish to deserving Chicagoans. (And there I was sitting through a two and a half hour rain delay at Fenway Park to watch the Red Sox drop a pair last week). Baseball needed Bill Veck and it got him!

Back to M. Donald Grant though. I was in a laundramat in Manhattan, when I learned that pitching greatness had been traded to the Reds. Steve Henderson is an upcoming star and Doug Flynn a good infielder, but Tom Seaver was the New York Mets.

Across town, Yankee Manager Billy Martin awaited his fate on death row as tempers flared during the summer heat wave. The Yankees were blasted with criticism but look who's in first in the AL East.

As for the AL West, you'd best not turn your back for more than a minute if you want to be sure of who's in first. Manager Billy Hunter is first in the hearts of Texas fans. By the way, whatever became of Frank Lucchesi?...Meanwhile Lenny Randle has been hitting .300 and starring in a Met uniform.

While his face graced the covers of magazines from coast to coast, Rodney Carew made his annual run at the .400 mark. He tailed off in August to .370 but at last he is finally recognized for what he is, the best hitter in the world.

Elsewhere, baseball's millionaire club proved its real worth as former free agents like Wayne Garland, Jim Hunter and Bobby Grich floundered through embarrassing performances. Of course, New Yorkers would like to add Reggie Jackson to that list of failures. Why? I'll never know. He's had one of his best seasons ever at the plate.

Some people maintain that Jack Nicklaus reigns supreme in the golfing universe. Even Tom Watson tends to agree. But the final round of the British Open reserved a moment of uncontested glory for young Watson. While Nicklaus fashioned an outstanding final round of 66, Watson did one stroke better in winning the classic head to head confrontation. It was a round earmarked for a place in golf legend.

It was the Summer of '77 that saw 18-year-old Ukrainian Vladimir Yaschenko high jump seven feet, seven and three-quarters inches while crasing Dwight Stones from the world record book. The tennis world cheered when Bjorn Borg dethroned Jimmy Connors at Wimbledon. And football fans in Los Angeles and Dallas looked ahead to supporting two new players; one, a veteran QB named Joe and the other, a former Heisman Trophy winner whose T.D. always spelled trouble for Notre Dame.

The Summer of '77 also witnessed the testimony of a 'criminal' element in the NFL. But closer to home, it was the dismissal of Alphonse Hunter that lit the flames of fury for football fanatics. Al Hunter, not only a great running back but also one of the most popular persons on this campus. His summer wasn't so memorable.

Yet, it is the good memories which allow us to live with September schoolwork, South Bend weather and no more Groucho.

Whether your summer entailed lying on the beach, working at a job, hang-gliding over the ocean, enjoying the discotheques, drinking beer, traveling cross country or even watching TV reruns, the Summer of '77 had something for everybody, even the sports fanatic. Don't leave it behind.



Irish halfback Vagas Ferguson ran for 33 yards in seven attempts in last Saturday's scrimmage in Notre Dame Stadium.

tion.

In the number-three slot, Joe Montana found the range on five out of 13 passes for 49 yards, including a ten yard touchdown strike to Steve Dover.

The first score of the afternoon

came on Joe Unis' 36 yard field goal, giving the second team a 3-0 advantage early in the first quarter.

However, the first offense retaliated quickly, driving 61 yards in seven plays before stalling. Dave Reeve connected on a 26 yard field goal to tie the score at three. The major play in the scoring drive came on second down and five to go at the 50 yardline. Tri-captain Terry Eurick was given the ball and the senior from Saginaw, MI rambled 35 hard-fought yards.

Each side was unable to mount

Baseball meeting scheduled today

There will be a interest meeting for all undergraduate students wanting to try out for the Notre Dame varsity baseball team at 4:30 p.m. in the Athletic and Convocation Center Auditorium. This meeting is mandatory for all those interested in participating in try-outs. All candidates should bring a pencil.

F-ball tix to be distributed

Student football tickets for the 1977 season will be distributed at the ticket sales window on the second floor of the Athletic and Convocation Center on the following dates:

Seniors: Monday, September 12, 8:30 a.m. to 4 p.m.

Juniors, Graduate, Law and all students in their ninth semester or higher: Tuesday, September 13, 8:30 a.m. to 4 p.m.

Sophomores: Wednesday, September 14, 8:30 a.m. to 4 p.m.

Freshmen: Thursday, September 15, 8:30 a.m. to 4 p.m.

Since the Navy game will be played on Saturday, October 29, during the fall semester vacation, a ticket for that game is not included in the four-game student season ticket. Tickets will be available for those wanting to attend the game, free of charge for undergraduate students.

No student may present more than four certifications for adjacent seating. If you desire to sit with a St. Mary's student whose class is the same as yours and who applied

Lacrosse team to hold meeting

There will be an organizational meeting for those interested in the Lacrosse club on Thursday, September 1, at 4:30 p.m. in the ACC auditorium. In addition, there will be a clinic beginning Monday, September 5, from 4:15 p.m. to 6 p.m. on the field behind Stepan Center. No experience is necessary. Those interested should call Tim Walsh at 1067 or John Gray at 1166.

drive with a seven yard burst up the middle. David Waymer then followed with a 14 yard run on the reverse. Five plays later, Lisch scored on a keeper from the one. Reeve's conversion brought the score to 24-3.

The second team reached paydirt on their next possession. With Joe Montana calling the signals, the second team launched a 70 yard scoring drive.

Two key plays in the scoring march were passes to tight end Kevin Hart. On their first connection, Montana hit Hart for 23 yards, giving the second team a first down at the first team's 42 yard line. On the following play, Montana went to Hart again, this time for a 16 yard pickup.

Eight plays later Montana found Dover in the endzone, as the duo connected on a ten yard touchdown strike. The score was then narrowed to 24-10 via Unis' point after.

That tally marked the end of the official scrimmage as the third teams began to compete against one another. With Tim Koegel at quarterback, the third offense began a 70 yard scoring drive. The freshman from Cincinnati, Ohio completed three out of six passes. The drive was capped off by a 28 yard touchdown toss from Koegel to Kevin Munno.

The scrimmage was only the second of the fall and the offense may have not been overly impressive, however, there are several reasons for the poor offensive showing.

Three offensive linemen, Ted Horansky, Steve McDaniels and Ken MacAfee did not participate in the competition because of minor injuries. All three are expected to play in the next scrimmage, scheduled for tomorrow.

Leading rushers for the day were Eurick, who gained 48 yards in four attempts. Dave Mitchell picked up 36 yards in five carries, while Ferguson compiled 33 yards in seven tries.

The team's performance came as no surprise to Devine. "We played like a team that's gone through two a days for the last two weeks," Devine remarked. "There are a lot of guys out with injuries. I'm not overly pleased, but, we needed what we had."

for a student ticket, she must accompany you to the ACC ticket window.

All students must bring their blue punched athletic certification card plus their student I.D.

Paul Stevenson

In Remembrance

P.S.

Although the name Al Hunter may be permanently inscribed in the Notre Dame gridiron record books, the star Irish halfback will also be remembered as the first student to appear before the University judicial board since James A. Roemer has reigned as Dean of Students of the University of Notre Dame du Lac.

Even though he was not a captain, Hunter was an inspirational leader for the team. There is no doubt that he was a talented running back, but the major asset Hunter possessed was the rapport he had with the people and fans.

He was a likable guy as well as a great running back. He was a P.R. man for the University. Now, the impressions and memories of the Notre Dame halfback will be a mixture of both good and bad.

Whether or not Hunter will be missed will not be known until the conclusion of the upcoming grid season. The Irish have a great number of running backs, many capable of taking his place on the gridiron. He will probably be missed more as a person than as a player.

One does not try to decide now whether Hunter was guilty or innocent, but whether he was treated fairly. There have been numerous students, as well as student-athletes, that have been suspended over the years. However, the fact that Hunter was a starter and, in addition, had such a great season last year, brought a greater amount of attention to the matter.

At many other schools, this kind of attention may not have been given to the subject. In the first place, many schools would not have parietals which could be violated, and secondly, many schools do not draw the national recognition that is carried by the name Notre Dame.

What will Hunter do now? The Irish halfback visited the Seattle Seahawks of the National Football League this past weekend. There is speculation that he will return to that team this coming weekend to negotiate a contract. In addition, there is also rumor that he will return to the University in January to complete his course requirements in order to receive his degree in Economics.

*Observer
Sports