

THE KENTUCKY KERNEL

Wednesday, Sept. 30, 1970

UNIVERSITY OF KENTUCKY, LEXINGTON

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'Saw or Heard Nothing Immoral' Crossen Testifies

The Associated Press
Although a number of nude photos had been introduced as evidence against him, Dr. Phillip Crossen testified Tuesday night he saw or heard nothing immoral during a rock festival earlier this month at his farm home.

Dr. Crossen, a prominent Lexington physician, is on trial in Fayette Quarterly Court on charges of entertainment and beverage license law violations and of allowing his farm to be used for lewd purposes.

He also told the court he "made every effort" to find out if licenses should be obtained for an earlier festival at the farm and was under the impression that none were needed.

He said he made his inquiries through the sister of the county attorney, who was acting as prosecutor against him. The sister, Mary Ann Salmon, verified Crossen's statement.

The prosecution had previously introduced some 100 pictures taken by police and others at the festival. These included several showing one or more girls swimming nude.

David L. Shade, who acted as a security officer for Dr. Crossen at a festival Sept. 11, said he saw the doctor "in the vicinity" of people who were nude at that event.

Shade, an off-duty auxiliary policeman at the time, also said Dr. Crossen was "no more than 50 feet away" when the officer observed a group taking pornographic pictures during the earlier festival.

However, he could not say if Dr. Crossen saw any of the activity and the physician denied that he did.

Dr. Crossen testified he "made every effort to find out if licensing was necessary . . . and that this festival was conducted in a way not open to criticism."

Members of the student organization that headed the September festival, the Grosvenor Street Zoo, also testified they saw no nudity or other lewdness at the event.

In addition, Franklin Marks, an executive at the Square D Co., said he, his wife and three children attended the festival and saw nothing lewd or obscene.

If he had, he told the court, "I wouldn't have stayed there with my children."

Judge Cecil Dunn deferred closing arguments by the lawyers until 8:30 a.m. Thursday. All testimony was concluded after 8½ hours Tuesday and about three hours Monday.



Homecoming Graffiti

This coed appears 'un-distracted' by the posters of Homecoming Queen candidates which greet customers entering the Kampus Korner. The queen will be announced at a pep rally Thursday night.

Paper 'Downgrades America'

TRAIN Hears Ex-New York Times Editor

By FRANK S. COOTS III
Editor-in-Chief

Herman H. Dinsmore is a former New York Times editor who does not like The New York Times.

Dinsmore does not like the Times primarily because he says it distorts news in a way that "down-grades" America and because it "is as pro-Communist as it possibly can be."

He also carries a grudge toward the Times because it did not see fit to review his book "All the News That Fits" which is critical of the Times' news and editorial content.

Dinsmore does not think very many, if any, of the news papers in the United States are "objective." This is because most of them "deliberately follow closely in the footsteps of the Times." Besides this, The New York Times was not the only newspaper which did not review his book.

Dinsmore addressed the Lexington TRAIN (To Restore American Independence Now) Committee Tuesday night at Holiday Inn East. The topic of his speech was "Who Distorts The News You Read."

He believes that after World

War II, the Times in particular and the news media in general "decided to set up a balance of power" and "began playing the United States against other world powers." He said that at this point, the Times became "neutral toward the United States."

Dinsmore deplored this supposed policy-making on the part of the Times and was particularly critical of the way some members of the Times editorial staff conferred with the State Department under the "Communist Eisenhower government." Dinsmore emphasized that he was not charging Eisenhower with being

a Communist, just Eisenhower's government.

He said the Times and the State Department "was determined to put Castro in power."

Continued on Page 5, Col. 4

Weather

Lexington and vicinity: mostly sunny and mild this afternoon, partly cloudy and cool both tonight and tomorrow. High today and tomorrow, 75, low tonight, 50. Precipitation probabilities: near zero today and tonight, five per cent Thursday.

The Code: A Look at Two Perspectives

SLAM Criticizes Document As an 'Engine of Injustice'

Student Coalition Believes Code Is Fair to Students

By DAVID BLANTON
Kernel Staff Writer

"The code of student conduct now in effect is a repressive document existing in blatant violation of and repugnant to the Constitutions of the Commonwealth of Kentucky and the United States of America. It is final, irrefutable proof of the utter contempt with which the power elite views civil liberties, human rights and due process of law. The code is an engine of injustice."

That is the opening paragraph of the introduction to "Up Against The Code," a pamphlet written and published by UK's College of Law chapter of the Southern Legal Action Movement (SLAM).

The 10-page booklet is the chapter's analysis of the student code recently adopted by UK's Board of Trustees.

Code Termed 'Fascist'

Calling the code "the most fascist in the history of the University," SLAM begins by criticizing the procedure by which the code was adopted. "The new code was not submitted to the faculty senate or the student body for approval or even comment. 'Open hearings' on the code were shams used solely for public

relations purposes to give the illusion of participatory democracy."

The local chapter also attacks the authors of the code. "In short, the code that suppresses your liberties was written by politicians having minimal or no ties with the University, politicians appointed to their office not for their expertise in University affairs, but for the purpose of political expedience."

Stating that the overwhelming weight of the law supports its analysis, SLAM explains four legal points which it continually uses in its arguments against the code.

'Void For Vagueness'

"'Void for vagueness' is a constitutional doctrine which states that any rule or regulation which is so vague that a reasonable person would not be able to tell from it what conduct is proscribed, and what conduct is not, is void and cannot be enforced."

SLAM believes that most of the code's rules are not specific enough to enable those who read them to know exactly what is prohibited. "When a section

Continued on Page 8, Col. 1

By MARGARET SHADBURNE
Kernel Staff Writer

"The 'Student Rights and Responsibilities' as adopted August 20, 1970, is (except Sections 3.21 and 6.34) a fair, reasonable, and understandable codification of the rules and regulations of the University of Kentucky and a reaffirmation of the students' liberties and rights as expressed in The Bill of Rights of the U.S. Constitution."

The above conclusion is stated in "The Bill of Rights, The Court Decisions, The Student Code, and You," a document published by the Legal Committee of the Student Coalition Sept. 23.

The purpose of the report, stated in its opening paragraph, is "to apply the Bill of Rights and the decisions of the federal courts to the student code (as adopted in August 1970) and to determine whether or not the code meets the standards commanded by the court edicts."

Recommends Rewriting Section 3.21

The document reports that Section 3.21 of the code, which deals with the subject of searches and seizures, "does not meet the requirements of the Constitution and the courts."

Under Section 3.21, a search of a student's room may be conducted "in the presence and under the direction of the dean of students or another dean on his staff acting as his authorized representative."

The dean is required to present to the vice president for student affairs, in writing, the time and place of the search, the reason for it, and the particular property sought for seizure prior to the search, except in cases of "imminent danger."

The Student Coalition's document states, "The courts have held that the fourth amendment speaks plainly and loudly—only with a valid search warrant, based on reasonable cause and sworn to . . . can a student, his room, or his property be searched."

The report concludes that "Such a search as authorized by Section 3.21 finds no basis or justification in the court decisions."

The Legal Committee recommends that Section 3.21 be "deleted and rewritten to meet the requirements of the Constitution and of the courts."

Continued on Page 2, Col. 4

Cook Opposes ABA Veto Of Judge Appointments

WASHINGTON (AP)—Sen. Marlow W. Cook, R-Ky., condemned Tuesday the Justice Department's practice of giving an American Bar Association committee a veto over appointments of federal judges.

"I strenuously oppose this procedure," said Cook, a member of the Senate Judiciary Committee. "It borders upon an unconstitutional delegation of constitutional authority and if it's not unconstitutional, it is at least unsound."

He said he regarded it as "the most critical mistake out of many which the Justice Department has made."

Cook's remarks were prepared for a meeting of the Louisville Bar Association last night.

He said he is opposed to giving

any outside organization a veto power over appointments by the executive. And in the case of the ABA, he said it is largely oriented toward large law firms that represent insurance companies and do corporate work in general.

Cook said it has "a certain unavoidable bias against a great class of outstanding lawyers who represent plaintiffs in personal injury cases, criminal defendants and quite often practice alone or in small firms."

Giving the ABA's 12-member standing committee on the federal judiciary a veto over appointments to the federal bench, he said, only substitutes "American Bar Association politics for senatorial politics."

"Since politics of one kind or another will never be eliminated from appointments to the judiciary," Cook said, "certainly the Senate, which has the constitutional authority 'to advise and consent' to judicial appointments, should take precedence over any outside group."

Cook said that in January, 1969, the Justice Department adopted a procedure whereby the administration would not nominate anyone for a U.S. district or circuit court who had not been approved by the 12-member ABA committee.

And he said that President Nixon accepted a July 28 recommendation of the department this year to extend the policy to all future nominees to the Supreme Court.

This was after the Senate's rejection of two southern judges, Clement F. Haynsworth of South Carolina and C. Harold Carswell of Florida, for the Supreme Court.



Getting Ready for Opening Night

A cast of over 30 students has been selected for the Guignol Theatre's first production of the 1970-71 season—George Bernard Shaw's "Androcles and The Lion." Above, Bekki Jo Schneider, who plays Lavinia, is instructed by Director Raymond Smith.

Production dates are Oct. 14-18. Curtain is 8:30 p.m. on weeknights and 7:30 on Sunday. The box-office opens Oct. 7. Admission for students will be \$1.

Kernel Photo by Dick Ware

Ahern Heads Clean-up Effort

The banks of South Elkhorn Creek will be the site of a massive clean-up effort Oct. 17.

The purpose of the drive is to remove trash, tin cans and other debris from the Fayette County stream.

Lexington Mayor Pro-tem Tom Underwood has given his support to the project. Underwood said that trucks will be available from the city and that all city agencies will assist on the project.

Named to head the drive is Col. John F. Ahern, director of Lexington-Fayette County Civil Defense. Col. Ahern has urged all civic groups in the area to volunteer help.

Anyone interested in participating in the project should contact Col. Ahern at the Office of Civil Defense.

Search for Balloonists Renewed

The Coast Guard has decided to resume the search for former UK student Pamela Brown and her two companions who were lost at sea more than a week ago when their balloon went down in stormy North Atlantic waters.

Miss Brown, actress, and daughter of former U.S. Rep. John Y. Brown of Lexington, was attempting to cross the Atlantic with her husband Rodney Anderson and Malcolm Brighton, an English aeronautical engineer.

A request by Sens. Marlow Cook and Warren Magnuson (R-Wash.), chairman of the Senate Commerce Committee, prompted the renewed search effort.

The search originated after a one-day flight when the trio

reported they were in a storm and descending. The search was called off Saturday when the Coast Guard found nothing.

Prominent New York meteorologists, in connection with balloon experts, have been studying the ocean currents, wind factors and other considerations. They theorize the balloon could have touched down, then after ballast

was discharged, could have risen and traveled several hundred miles before setting down again.

The gondola is theoretically unsinkable, and the trio had enough food and water for three weeks.

According to Coast Guard authorities the new search was scheduled to begin this morning and continue for two days.

Student Coalition Believes Code Is Fair to Students

Continued from Page One

The coalition also found fault with Section 6.34 of the code, which states that the University president "may increase or decrease the punishment imposed by the Appeals Board."

Abolish Section 6.34

(At last week's Student Code Forum, Trustee Tommy Bell denied that the word "increase" was included in the original draft of the code. He said then that Dr. Singletary asked that he be given only the right to decrease penalties.)

"The Student Code and You" states that Section 6.34 of the code "seems to contravene the fundamental fairness requirements of procedural due process,"

and that "The right of the student to have an impartial tribunal assess his innocence or guilt and set his punishment is violated by Section 6.34."

The committee recommended that Section 6.34 be abolished altogether.

The report concludes that the student code "guarantees substantive and procedural due processes as commanded by the fourteenth amendment," balances the rights of the student against "the rights of the majority" (with the exceptions of Sections 3.21 and 6.34), encourages orderly dissent, "grants students fair participation in all its procedures (except Section 6.34)," and is easily understandable.

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What Could Set It Off?

Teachers, Students Fear Campus Violence

By The Associated Press
 Ready for a back-to-college "quiz?"
 This school year many American colleges and universities will:

- Die violently.
- Muddle through somehow.
- Witness a rebirth of tranquility and progress.
- None of the above.
- All of the above.

If you have the answer, circle and send to your nearest college or university president. He wishes he knew.

Joyless Faces
 On campuses hit by last spring's turmoil, the broken windows have been mostly replaced, the strike slogans on walls mostly painted over or washed away. But the young fall faces, to an old grad, look joyless.
 Faculty and administrators have had a breathing spell to think things out and do some planning, but the bomb blast that demolished the University of Wisconsin Mathematics Research Center and killed a

young scientist echoes in their heads. Said a young campus editor: "It's a whole new game."
 "A person would be utterly naive to believe it couldn't happen here," said James O. Candler, associate dean for student affairs at the University of North Carolina. His school is a relative elysium of peace and cooperation compared to some others.
'Hit-and-Run' Terrorism
 Across the country, teachers, administrators and students said they had been expecting a

turn from mass confrontation to hit-and-run terrorism. There are rumors of political kidnappings and assassinations and more students are reportedly bringing guns to campus.
 "If defense against terrorism were easy, it wouldn't be such a persistent strain in human history," said Richard W. Lyman, new acting president of Stanford University.
 Stanford counts its losses at \$580,000 from violence last school year. Its fire insurance now is \$500,000 deductible instead of \$25,000. It is investing \$90,000 in floodlights and hoping for the best.

The Indochina war, ROTC and the rights of blacks are still big issues on campus, but they are losing relative importance as a host of other issues come on the scene:
 Labor relations on campus, "political" trials of black militants and others, local politics, grievances of Chicanos, Indians and Asians, perpetuation of "re-constituted" courses from last spring's strike, administration and state efforts to keep students in line, pollution, women's liberation and practically anything the Nixon administration does.

Student Types

"You can't build a high wall around the university," said W. Eugene Clingan, vice chancellor for student affairs at Wisconsin, "and we would refuse to even if we could."
 Consensus: Be surprised at nothing and try to cope with things that can be coped with.

Trying to read this year's future from the entrails of last year's turmoil is not only dangerous but fruitless, said George Smith, assistant vice chancellor for student affairs at Santa Barbara:
 "A lot of issues bear on this: international, national and local. Things can change completely in two or three weeks; they can change in two or three days."
This Year's Violence?
 What sparks might set off this year's campus violence?

If there is such a thing as a "hippie type" student, he worries administrators far less than the growing counterculture communities of nonstudents on the fringes of university campuses singing siren songs of freedom.
 Mostly they are called "street people," sometimes "book carriers." They include dropouts, kick-outs, theoretical and practicing revolutionaries, high school runaways and drug trippers in various combinations. They are nomadic and hard to keep track of.

What is developing is that the politically inclined student can choose between a growing number of small, specialized organizations and that the organizations can increase their power by forming coalitions for any given issue.

Water Quality Standards Set

FRANKFORT (AP)—Federal and state water pollution officials reached a tentative agreement Tuesday on water quality standards for interstate rivers in Kentucky.

The agreement was announced at a news conference after an all-day meeting attended by Gov. Louie B. Nunn and David Dominick, commissioner of the Federal Water Quality Administration FWQA. The agreement still will have to be approved by the state Water Pollution Control Commission and the Secretary of Interior, but the indication was that no difficulty was anticipated.

Dominick termed the agreement "An excellent package of water quality standards."

On thermal pollution, which had been a major point of contention between the two levels of government, Dominick said all states in the Ohio River Valley would be required to have the same standard—89 degrees. And they would be required to go to that maximum temperature level at a uniform rate, he said.

No Lower Standard

Nunn had said previously, and reiterated Tuesday, that he would not let a lower standard be established in Kentucky than was adopted by its neighbors.

To do so would be to give the state with the higher standard an advantage in attracting new industry.

The agreement also calls for Kentucky communities in the Ohio River Valley basin to in-

stall secondary sewage treatment facilities no later than Dec. 31, 1975.

Specific implementation schedules for installing secondary treatment facilities by all Kentucky cities discharging sewage into interstate rivers "will be expeditiously developed" by Kentucky and submitted to the FWQA, the agreement said.

Kentucky Reluctant

Kentucky officials have been reluctant to require such secondary treatment, arguing that many smaller communities affected could not get the money to build them.

On that point, Nunn said he understood that Congress probably would enact a law under which communities could get federal money to build secondary treatment facilities.

If that legislation is not enacted, he said, "then all communities will be confronted with the same problem."

Also, Nunn said, the 1972 session of the General Assembly could consider whether to appropriate funds for such facilities if no federal money is approved or in case it had to be matched by the state. Indiana already has such a state grant program, he said, and Illinois is in the process of adopting one.

Matching Money

Dominick added that the trend around the country was for states to put up funds to match federal money to help communities install secondary treatment facilities.

The agreement also contained a non-degradation statement which said that the quality of any stream which was higher than the standards adopted must be kept at that higher level. The quality could be lowered, the agreement said, "only after it is affirmatively demonstrated to the Kentucky Water Pollution Control Commission that a change is justifiable as a

result of necessary economic or social development."

In response to a question, Nunn said there has not been a cutoff of federal funds for pollution control projects in Kentucky because of the disagreement over Kentucky's standards. But he said there probably would have been a cut-off if an agreement such as that reached Tuesday had not been obtained.


The main thing, Nunn said, was that the water quality standards would be national although there could be regional differences because of such differences as climate, existing industry or urban concentrations.

"We insisted on the same criteria for all of the Ohio River Basin," Nunn declared. "This is what we have arrived at."

Correction

A pep rally, to be held Thursday night on the field next to the Complex tennis courts, will begin at 8 p.m. instead of 6:30 as was previously reported. The new Homecoming Queen will be announced at that time.

Phi Tau



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H.C.Q.

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Kernel Forum: the readers write

Senate Representation

To the Editor:

To deny the responsible conservatives on this campus a recognized voice in official university affairs is turning Student Government on this campus into a government for only the liberal activist students on this campus. This is a great disservice to all other students who pay to support this government. Forcing certain responsible student concerns out of Student Government only encourages the administration to avoid the Student Government and look elsewhere for student opinion. This is a further disservice to responsible conservatives on this campus and indeed a great neglect of what is best for the student body as a whole.

To say that politics is irrelevant in the University Senate as so stated in the *Kernel* of September 24, and as so stated by many members of ACT is absolutely absurd. If we have not learned that by now I doubt we ever will.

Electing a moderate-conservative to the University Senate would in no way have negated past statements by the Assembly nor in any way would it be a step backward in our struggle for student rights. It would indeed have been a step forward. One in which we, all members of the Student Government Assembly, although "liberals in the majority," would affirm our belief in true democracy, one in which the rights of the minority are not stamped out by the majority. The Assembly last Thursday night denied those rights. The attempts of ACT, Mr. Pennington, and the *Kernel* to railroad through Steve Bright's appointee to an Assembly elected position are an insult to the intelligence of many members of the assembly.

I nominated Ben Fletcher for University Senator because he would have made a responsible and respectable representative for a segment of campus ignored by most members of ACT, Mr. Pennington, Steve Bright and others. Unfortunately Mr. Fletcher came under unnecessary personal abuse from ACT representative Howell Hopson. His statements and others

from other ACT members and Buck Pennington throughout the entire assembly meeting were aimed at the personal character of other Assembly members. One member was even referred to as having made an ass out of himself simply because he questioned allotting 1500 dollars for a faculty evaluation survey. Unfortunately because of such ACT tactics we now have four student University Senators who represent only one segment of this campus. Should those Student Government members continue on their present path they will have absolutely no right to complain when many unrepresented and abused segments of this student body turn to reactionary groups for recognition and elect a reactionary Student Government in the spring. Last Thursday's meeting was perhaps our last chance to begin to make this Student Government a government for all of the students on this campus.

Student Government might well take the warning that governments which abuse their power eventually destroy themselves—for good.

Keith J. Brubaker
SAR Rep.

A Concept of Education

To the Editor:

I have just read your September 18 reprint of an editorial in the *Courier Journal* entitled "Quality of Education in Kentucky's Schools" and should like to pose a few ideas in disagreement with the suggestions found there.

All of us in education set up objectives and goals for our subject area and strive to educate toward them, but one day in the classroom proves to us that every child is an individual with widely varying personalities, interests, and capabilities, and to try to fit all these individuals into a common mold is not only an impossibility, it would be a distinct disservice to mankind. Every teacher must commit himself to gearing his educational efforts to these individuals and must provide all the opportunities at his command for their physical, social, and intellectual growth

and development. The teacher must encourage, inspire, and even nudge each child toward greater achievement, and at the same time refrain from littering his path with stumbling-blocks which take the joy out of the process of education. The fear that he will not measure up to expectations of him has thwarted far too many children of the past, and threatening a child with dire consequences if he fails to read at eighth, or sixth, or fourth grade level simply has the opposite of a desired effect.

There are many older citizens who function as contributing members of our society who do not read at eighth grade level, as measured by achievement tests.

Must our future citizens be denied this privilege by being told, "You're a failure" or "You can't have a job because you don't have a high school diploma"? If reading is not the strength of an individual, why not develop another strength and accept it as admirable, too? Skilled craftsmen, gardeners, construction workers, and cooks are necessary in our society. Let us concentrate on preparing them to work with pride and self-satisfaction, but is it necessary for them to read at eighth grade level if they don't want to? Schools are intended to give opportunities for education to all—not to frustrate, condemn, and to kill self-respect.

Goldie B. Young
Teacher, Fayette Co.

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Editorials represent the opinions of the Editors, not of the University.

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Kernel Soapbox

Encouraged Injustice at UK

By ANDREW JOHNSON

Last semester, while talking to my adviser, Dr. White (Psychology), he decided in the seemingly relaxed atmosphere that he wanted to talk about "Niggers". Whereupon, I immediately informed him that he should realize that most black people are offended by such language. The next fifteen minutes he assured me that he was "brought up the other way."

Recently on my way to jail the Thursday before last, I managed to get a message to my father who in turn phoned the dean of students' office. Jack Hall has heard my name before in connection with student organizational work. Somehow there was a "mix-up." Someone in the dean of students' office told my father that "nothing could be done about my arrest until Monday."

The 17th of this month I was arrested for jaywalking and later a disorderly conduct charge was manufactured. The gist of the situation is that I unknowingly (at that time) said something the arresting officers did not agree with or I should say did not like concerning my understanding of what traffic light is "facing" the pedestrian, and police harassment.

I spent five hours in the city or county jail (thanks to a friend who observed my abduction, I did not spend the week-end there), mainly I think because I was not allowed to make a phone call. Bill Allison represented me in court, and the Honorable Judge Amato saw fit to uphold the jaywalking charge and "file away" the disorderly conduct charge.

Throughout the entire ungodly incident the arresting officers were jovial.

While informing me that I was under arrest, one officer managed a smile through his quivering lip. While checking my personal belongings just before I was jailed, the other officer was giggling. I asked did he think this (the incident) was funny. Reply: "Yea, kinda."

During the court appearance Mr. Allison asked one of the officers did his mother live in the same block that I live in (she lives two doors away), and if he had ever seen me before the arrest. The officer was reluctant to answer. He was also asked if I had long sideburns at the time. I did. The officer didn't remember.

Talking to Mr. Gordon about the incident, the "major" at the police station that you complain to about an officer's conduct, I found that the Lexington Police Department is "short" of more than fifty men and does not always attract the best of people. Mr. Gordon assured me that every police officer is not like the two that I came in contact with. I was also told that it was not uncommon for a police officer to lie to get a conviction. I got the impression that lying is not only sanctioned but encouraged. Mr. Gordon surmised that being bothered three times within the week was not the result of being singled out, but that I was just unlucky. "Coincidence."

I'm willing to bet that it has been quite some time since anyone has been arrested for jaywalking in Lexington. A police record, an enormous amount of stress (worrying), classes missed, money out of my pocket; it does not seem feasible to sue for defamation of character—maybe it's because I'm black.



Lest Anyone Forget Vietnam

Hoover's Letter Gets Praise From Nixon

WASHINGTON (AP, CPS)—President Nixon has praised FBI Director J. Edgar Hoover's recent open letter to college students. He called it "a cogent and enlightening analysis" of the techniques used by extremists "as they attempt to trick college students into support of lawlessness, disruption and violence."

Nixon urged college presidents and other education officials to convey to as many students as possible Hoover's message on campus troubles.

In his letter, Hoover "pinpointed eight ploys used by radical extremists in their efforts to steer justifiable campus protest into violent and destructive channels."

One of their attacks, Hoover claims, will be to encourage young people to lose respect for their parents and in general the older generation. "You'll hear much about the failures and hypocrisy of your parents," Hoover says.

Next, he says the radicals will try to persuade people that college is "irrelevant" and a "tool

of the Establishment." Hoover cites as "unreasonable demands" student demands to set the curriculum or grading standards.

Campus radicals will try to get students "to abandon their common sense," Hoover says. "Campus extremism thrives on specious generalizations, wild accusations, and unverified allegations," Hoover claims.

Radicals try to envelop the unsuspecting student in a mood

of "negativism, pessimism, and alienation toward yourself, your school, your nation," Hoover says.

Hoover adds that radicals will encourage students to disrespect the law and hate police officers. "Most college students have good friends who are police officers," Hoover claims.

"You know that when radicals call the police 'pigs' they are wrong." The officer is "your friend," he claims.

Radicals tell students that any action is right, Hoover claims, if it is idealistic in motivation. Hoover calls this appeal "the most seductive of New Left appeals".

Radicals tell students that they are powerless by democratic means to change their society, Hoover alleges. "Public opinion time after time has brought new policies, goals, methods,

Hoover claims. Lastly they'll encourage people to "hurl bricks and stones instead of logical argument at those who disagree with your views."

Hoover listed among organizations which use this plan the Weathermen faction of SDS, Young Socialist Alliance, and the Student Mobilization Committee.

Kentuckians Split

Senate Delays Debate Over Electoral Reform

WASHINGTON (AP)—Kentucky's two U.S. senators split during a roll call vote Tuesday to shut off debate on a constitutional amendment on electoral reform.

Sen. Marlow Cook voted with the majority for cloture while Sen. John Sherman Cooper voted against it.

The 53-34 vote was five short of the two-thirds needed to shut off debate.

The test was a second attempt to cut off debate over the proposed constitutional amendment.

A first attempt to apply cloture fell six votes short Sept. 17. The vote then, with 10 senators absent, was 54 for shutting off debate and 36 against.

Majority Leader Mike Mansfield, D-Mont., promptly moved to put the proposed amendment aside temporarily and take up other legislation. Sen. Birch

Bayh, D-Ind., chief Senate sponsor of the direct election plan, did not object.

Bayh later told newsmen, however, that he intends to try to get another vote on cloture—perhaps more than one—before the middle of October when the Senate is expected to adjourn or recess for the November elections.

Sen. Sam J. Ervin Jr., D-N.C., a leader of the opposition, declared the issue dead for this session of Congress.

The proposed amendment would abolish the Electoral College system of electing the president and provide that a candidate who got as much as 40 percent of the popular vote nationwide would be elected.

If no candidate received 40

percent of the vote, a runoff election would be held.

Bayh contends this is the only system that assures the candidate who receives the most votes will be elected and that every vote cast will count equally.

But opponents argue it would encourage splinter parties, destroy the role of the states in the election process, and, in a close election, leave the outcome in doubt for weeks or months while recounts were conducted and alleged vote frauds investigated.

Ratification by three-fourths of the state legislatures would have to be completed by next April 15 for it to take effect in 1972 under the Senate version of the proposed amendment.

Dirty Words Have Lost Impact

WASHINGTON (AP)—A presidential commission's finding that pornography does not cause sex crimes has been toned down in its report coming out Wednesday, but its recommendations—including repeal of U.S. adult censorship laws—are unchanged.

The report—disavowed by President Nixon in advance—also recommends state laws against showing or selling obscene pictures, but not written erotica, to children.

It recommends state laws against public display of pornographic pictures, but not "dirty words" which it says are so commonly used they've lost their shock impact.

The sharply divided 18-member commission's report was not for release until Wednesday afternoon but a two-week-old copy still subject to last minute revision was seen by The Associated Press.

Contending law "is not the only or necessarily the most effective way" to deal with pornography, the report recommends a massive sex education program

both to blunt Americans' taste for smut and to forge an informed public consensus on the problem.

It says American public opinion does not support adult censorship laws, that they're so vague they are sometimes used against legitimate material and "there is no reason to suppose" their repeal would substantially enlarge the U.S. smut industry.

The finding in an Aug. 2 draft report that pornography does "not have any ascertainable causal relationship" with crime, juvenile delinquency, deviancy or emotional disturbance has been modified to say extensive investigation finds no evidence of such a relationship.

The report indicates the modification is based partly on federal statistics showing the increase in U.S. erotica since 1960 has been accompanied by an 86 percent increase in forcible rape arrests of juveniles, a 55 percent increase for adult rape arrests and an increase in illegitimacy among teenage girls.

But the majority report says sex crimes including rape have

gone down 50 to 60 percent since pornography was liberalized in Denmark; and that U.S. sex crimes have not increased as fast as other crimes or as much as pornography has increased.

Agnew Attacks Scranton Report

SIOUX FALLS, S.D. (AP)—Vice President Spiro T. Agnew Tuesday denounced the Scranton report on campus unrest as "imprecise, contradictory, and equivocal."

Agnew was especially critical of the commission's call for moral leadership by President Nixon to help prevent campus violence. "To lay responsibility for ending student disruption at the doorstep of this President," the vice president declared, "is 'scapegoating' of the most irresponsible sort."

He declared the report's refusal to lay sole blame on violent protesters and those who support them will "be taken as more pabulum for permissiveness."

Agnew said the primary responsibility for preventing campus violence lies with the faculty and administrators. "The President cannot replace the campus cop," he added.

The report also came under attack in Washington from 56 Republican and four Democratic congressmen who wrote a letter

to President Nixon claiming its proposals "ignore reality" and that it "blatantly disregards" the efforts made by Nixon to solve campus problems.

One commission member, Revius Ortique, said after Agnew's comments: "We didn't attempt to place

the blame on what has taken place in the country. We were primarily concerned with trying to assess the situation for the President."

Ortique said that the commission placed emphasis on actions before the disorder to help prevent future disorder.

TRAIN Hears Ex-Editor

Continued from Page One

He said the Times knew that Castro was a Communist but suppressed this information to achieve their ends.

This, he explained, was all in keeping with the Times' notion of keeping a "balance of power." He pointed out that "Cuba was once a good neighbor—the Cuba of Batista" until the New York Times intervened.

Dinsmore said Cuba, Eastern Europe and China would all still be non-Communist if the Times had opposed them.

Dinsmore also had sharp words about the "no-win war" in Vietnam. He implied the Times

was indirectly responsible for this policy also.

He said the coverage in the Times is fashioned "to make the United States look no worse than the enemy." He mentioned the Mai Lai massacre as an example of the coverage given the Vietnam war. He also claimed news reports only paint Saigon as corrupt and ignore corruption in Hanoi.

Dinsmore, who joined the John Birch Society a few months ago, claimed Birchers are "smeared because they point out the faults in the news media." He said Birchers were not extremists, as the news media claimed, because they "abhor violence."

Hearing Is Set for Oct. 8 On Concessions Appeal

FRANKFORT (AP)—A hearing is set for Oct. 8 by the state Purchases Division on an appeal filed by a 23-year-old state employee whose bid for the concessions at UK athletic events was rejected.

State Purchases Director N. B. McCubbin said Tuesday the hearing will be for Gerald C. Lundergan of Lexington, whose bid included the highest percentage of gross receipts to be paid to the UK Athletic Association.

Rather than Lundergan, the state accepted the bid of Ted R. Osborn of Lexington, which included the second highest percentage. However, no contract has been signed pending the posting of a \$50,000 performance bond by Osborn.

University officials had questioned Lundergan's experience, health certificate and sandwich-preparation plants and McCubbin said Lundergan failed to appear at a Sept. 9 meeting to answer the questions.

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Oct. 1—10:00 A.M.

ROSH HASHANAH
Sept. 30—7:30 P.M.
Oct. 1—9:00 A.M.
Oct. 2—9:00 A.M.

YOM KIPPUR
Oct. 9—7:00 & 9:00 P.M.
Oct. 10—10:00 A.M.
until 5:30 P.M.

YOM KIPPUR
Oct. 9—6:45 P.M.
Oct. 10—9:30 A.M.
Yizkor—12 Noon

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Spent Year on Reservation

Apache Illness, Suicide Studied by UK Prof

By NANCY WHITE
Kernel Staff Writer

Dr. Michael Everett, UK anthropology professor, recently spent a year with an Apache Indian tribe studying Indian medical problems and the increasing suicide rate among Indians.

Dr. Everett first went to live with an Apache tribe in Arizona in January 1969, after graduating from the University of Arizona. He and his wife lived in an isolated Apache community until September of that year.

Everett, on a grant from the U.S. Steel Foundation, first studied health behavior on the reservation. He approached this subject through the examination of how an Indian perceives sickness in terms of seeking treatment.

At Fort Apache, the Public Health Service provides doctors who work at the reservation for two years, often in lieu of military service.

"The problem," stated Dr. Everett, "lies in the fact that the doctors attempt to treat the Apaches in the same manner they would the white man."

Everett feels because of the difference in behavior, the way Apaches perceive the universe, and simply the obvious differences between the races, this form of treatment is unacceptable.

Most Indians do not believe in the germ theory in relation to disease, Everett related. It is also a traditionally held belief that illness is caused by something supernatural.

"If someone gets a cold or a wound he goes to the white doctor," Everett said. "But for something like a serious pain in the stomach, fainting spells or shortness of breath, this is indicative of supernatural beings and is taken to the medicine man."

Two hundred people were

sampled in Everett's survey. They were asked about their illnesses over the past year, what they did when they got sick, whether they went to the medicine man or the white doctor.

'Craziness'

It was discovered that physiological illnesses were discussed with the white doctor, while an Indian malady referred to as "craziness" was always referred to the medicine man. Craziness is interpreted as any kind of unexpected event, illness, misfortune or behavior not considered normal for the person.

"Increasingly, Apaches are taking physiological complaints to the hospital but only in the more cultured communities did I find a case out of 200 where a person had taken a psychological complaint to the doctor," Everett said.

One reason for this is the doctor's ignorance of Apache traditions. Because Apaches aren't raised like the white man, treat-

ment with totally white-oriented methods often falls short of the doctor's expectations. Apaches who go to the white doctor can sense his displeasure with the patient. The Apache also realizes the doctor neither believes in or cares about the way he lives.

Everett gave one example of a doctor who gained the confidence of an Apache. This doctor learned the Apache language, conducted his clinics in the native tongue, visited in the community, went to curing ceremonies and even invited the medicine man to come in the clinic and help treat Apaches.

"This kind of mutual understanding, this type of give and take is required to give proper care to the Apaches," Everett stated.

Everett feels the public health clinics fail in several ways. The Apaches have no control over their hospital and they don't know the type of doctor they are being sent until he arrives.

A model Apache-controlled health service has been instituted to aid in explaining health problems to the Indians. Apaches from different tribes are trained in health services. These groups act as an intermediary between patient and doctor.

Studied Suicide Rate

Dr. Everett made his second trip to the reservation last summer to study the suicide rate among Indians, which is four times higher than the national average.

Everett had two goals in mind during this trip: to describe suicidal behavior in terms of what it is like today on the reservation and what it formerly was like, and to try to discover cause factors to be used to prevent further suicides.

"I expected this project to go slowly," he recounted, "because suicide is a very disruptive event in Indian life and is not a topic they discuss openly."

Surprisingly, Everett encountered no trouble in discussing this with the Apaches.

There have been 59 suicides

at Fort Apache in the past 42 years. Everett was able to talk to friends and relatives of 57 of the suicide victims.

Several factors concerning suicide were discovered by Everett during his second visit. The incidents of suicide and attempted suicide have increased sharply over the past 20 years but the causes of Indian suicide have remained stable for the past 100 years.

Everett said, "A common theory suggests major violence in the Indian community is a direct result of the white contact." His findings show this to be false.

The dominant factors behind Indian suicide are vengeance, anger and vindictiveness. Self-destruction, in this case, is not a passive act but outward aggressiveness, Everett said.

One example was cited where an Indian girl was reprimanded by her parents for her association with a local boy. A heated argument took place after which the girl doused herself with kerosene and set herself aflame. On her deathbed she said to her parents, "I hope you're happy I won't be seeing him anymore."

Because of her self-destruction, the girl's parents are regarded as directly responsible for her short life in the eyes of the Indian community, Everett said.

'The Young Get Angry'

Traditionally, the young Indians obeyed the old, he explained. Today, the old don't seem to want to compromise, so the young get angry. Rather than having to bear the responsibility of arguing with their parents, they kill themselves, leaving a mark that will stay on their parents forever, Everett noted.

This viewpoint of suicide differs from the traditional approach that bad living conditions and lack of opportunity are primary factors in Indian suicide.

Dr. Everett will be returning to the Apache reservation this summer. He hopes to work on a health program to be run by the Apache tribe and draw a set of guidelines that families and doctors can use in spotting potential suicide victims.

Panther Pleads Innocence In Shooting Charge

NEW HAVEN, Conn. (AP)—Bobby G. Seale, national chairman of the Black Panther party, pleaded innocent in Superior Court on Tuesday to the four charges filed against him in connection with the shooting death of another Panther more than 16 months ago.

Seale, 33, wearing a blue sweater shirt, was in court for the start of hearings on pretrial motions with another defendant in the case, Ericka Huggins.

Among the motions were that Seale and Mrs. Huggins be granted a joint trial and that charges be dismissed on grounds of prejudicial publicity.

As the four charges against him were read, Seale labeled each "false." He asked for a trial by a 12-man jury and said, "Don't you give me a six-man jury."

Seale is charged with conspiracy to murder, conspiracy to kidnap, first-degree murder and kidnaping.

Judge Harold M. Mulvey, who presided at the lengthy trial this summer of Lonnie McClucas, another defendant, did not rule immediately on the pretrial motions introduced by the defense.

McLucas was convicted by a Superior Court jury Aug. 31 on a charge of conspiracy to murder but was acquitted of three charges carrying heavier penalties—kidnaping resulting in death, conspiracy to kidnap and binding with criminal intent.

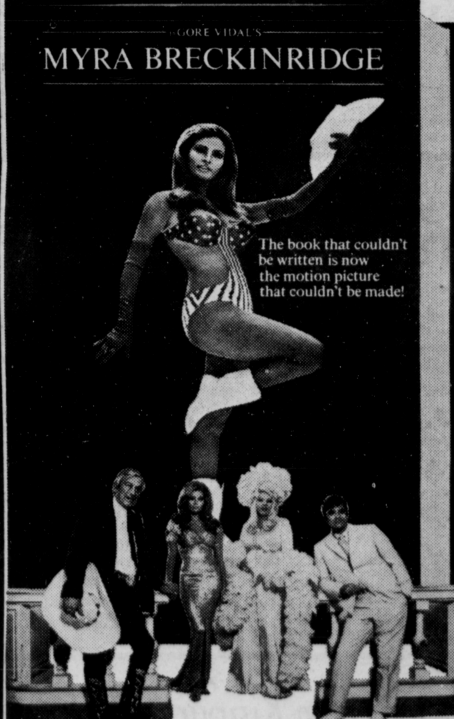
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Scruggs's 'Hot Hand' Put Fear in Ole Miss

By CARL FAHRINGER
Kernel Staff Writer

The Kentucky Wildcats had John Vaught scared. The Ole Miss head coach had quite a few anxious moments before his third-ranked Rebels held on for a 20-17 victory at Jackson.

"They were playing like they thought they were going to win," Vaught said after the game. "And I thought they were going to win too."

One of the main reasons Kentucky came so close to upsetting the Johnny Rebs for the second straight year was Bernie Scruggs. The rugged signal-caller came off the bench late in the second period, and wasted no time in engineering UK's first touchdown drive of the game.

"We surprised Ole Miss," Scruggs said.

The smile on his face showed how much the game had bolstered his confidence. When discussing his competition for the quarterback position, Scruggs said that UK would "go with

whoever has the hot hand." Saturday it was Scruggs.

First Aerial Touchdown

Coming into the game after Arvel Carroll extinguished a Rebel threat by picking off an Archie Manning pass, Scruggs hit on five out of six pass attempts for 70 yards and a touchdown.

Moving the ball 73 yards in eight plays, Scruggs overshadowed the passing performance of Manning, who is considered the best quarterback in the nation. With the ball on the Kentucky 30, Scruggs completed a 19-yarder to Cecil Bowens. He then connected with Al Godwin for gains of 21 and 23 yards, to put the ball on the Mississippi 6.

That set the stage for a seven-yard strike to David Hunter, which put the 'Cats within five points at the half.

"That was a special play," Scruggs said, "just for Ole Miss."

Scruggs found the going a little rougher the second half as

UK had trouble obtaining good field position, and the Rebel defense held the Kentucky receivers in check.

"They were a good team," Scruggs said. "There's no doubt about that—but so were we."

Despite his moments of glory at Jackson, Scruggs is looking ahead to this week's game against Auburn.

"It will be about the same type of game as Ole Miss, ex-

cept we'll be at home," he said. "I feel we're really going to get after them."

Scruggs Probable Starter

Will Bernie's sparkling performance in Jackson earn him a starting job for the homecoming contest?

"I don't know," he said with the humble smile that has made him a favorite here. But if called upon, Scruggs feels that he can come through again.

"It depends on whether our (pass) routes are open, and whether I have protection."

Scruggs is quick to share the credit for his success with the offensive line.

"If I have protection like I did against Ole Miss, there's no excuse," he said.

Hopefully, there will be no need for excuses on Saturday afternoon.



Bernie Scruggs releases a pitchout to big Cecil Bowens in practice Tuesday afternoon. Scruggs, Ole Miss, will probably start for the Wildcats this week against Auburn. for his performance in Saturday's 20-17 loss to

Kernel Photo By Jeff Impallomeni

Rebel Cheer or Jeer?

The last cheer by Ole Miss's cheerleaders Saturday afternoon was one received with mixed emotions by both UK and Rebels fans.

People's heads turned right and left in puzzlement, when, with a little over a minute left to go, the head male cheerleader screamed "Go to Hell, Kentucky,

Go to Hell," over the loudspeaker.

Positive of their team's victory, the cheering squad proceeded to apply their unexpected icing to the cake. But, what will they have to say when Super Archie graduates or they come up for an engagement in Memorial Coliseum? Not much, you can bet.



Kernel Photo By Dick Lindstrom

Two unidentified UK soccer players (dark jerseys) are seen using their heads in Tuesday's match against Transylvania. UK won the contest 4-1 on a pair of goals by Arturo Agurto, and one each by Paul Pride and Sam Spinelli. A soccer doubleheader is scheduled Oct. 17, against Murray State and the University of Louisville.

Lambda Chi, SAE's Win in IM Action

In flag football action Tuesday evening Triangle had two touchdowns called back as they fell to Lambda Chi, 6-0.

Kappa Alpha crossed the end stripe on four occasions, upending ZBT 27 to 7.

In a defensive battle, Phi Kappa Alpha and the Kappa Sig's fought to a 6-6 tie. PKA won the game on first downs.

SAE exploded for four touchdowns, downing Fiji 28-8 on the passing of Bob McCowen.

Jay Langenbahn and John Churchhill intercepted two passes as Sigma Phi Epsilon trounced FarmHouse, 35-0.

In other games: Sigma Nu whipped TKE 29-0; DTD rolled over Sigma Chi 18-6; and the ATO's slipped past Theta Chi 12-7.

Holmes 2-F shutout Haggin D-3, 8-0, in dormitory football. The clock had only thirteen seconds left on it when Keith Nalley tossed a desperation bomb to Michael Carr in the end zone.

Haggin B-1 came from behind to defeat Kirwan 16 20-8. Jim Trivette scored all the points for Kirwan when he ran the length of the field for a touchdown and added the extra point on an end sweep. David Urton scored two touchdowns in the second half to

lead Haggin B-1. Glen Norvell made a long touchdown gallop to score the third Haggin marker.

Haggin A-1 defeated Holmes 1, 12-5 with just over a minute to go in the game John Roberts ran under a Greg Wilson pass in the end zone. The touchdown pass was the second of the day for Wilson.

He fired from mid-field on the first series of the game to Nick Ochs to put Haggin A-4 on top. Holmes then dropped Ochs in the end zone for a safety and the half time score was 6-2.

Holmes 1 took the Gray making it 8-6.

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SLAM Critical Of Student Code

Continued from Page One

is vague, it allows the administration to prosecute a student for doing something he or she could not know was an offense and which would not ordinarily be one."

'Void For Overbreadth'

"The doctrine of 'void for overbreadth' states that any rule or regulation which, in addition to prohibiting illegal activities also prohibits constitutionally protected activities, is void and cannot be enforced for any reason."

The local group believes that many rules of the code are overbroad and therefore can be used to punish students for exercising their constitutional rights.

"Intent" should be required before one can be legally guilty of an offense that is punishable by the Code.

SLAM argues that, as it now stands, a student can be punished for physically violating a rule even if that student did not intend to break the regulation, did so by accident, or was forced or tricked into doing so.

'Lack of Standards'

"Lack of standards" is a constitutional doctrine that applies to rules which grant open-ended powers or which allow restrictions to be invoked at the discretion of an individual."

The UK law group contends that standards must be constructed into the code that will prevent the punishment or curtailment of constitutionally protected activities by the exercise of such power or discretion by an university official.

One of the more controversial parts of the code, Section 3.21, which covers searches and seizures, "annihilates 200 years of constitutional liberties embodied in the Fourth Amendment," according to SLAM.

The group argues that in reality the person who carries out the search, the dean of students, is also the one who approves the search, since he must only inform the vice president of student affairs of the search.

Poor Rationale For Search

SLAM states that "no requirement that the vice president approve the search or that the search be based on probable cause is included in the section. This section requires no reasonable rationale at all for a search, just the dean's desire to search."

Section 6.34 allows the UK president to increase the punishment already been imposed by the Appeals Board in the event that a student is appealing. SLAM argues that the president's power to raise the punishment serves as a deterrent to the exercise of this 'right'."

In opposing other sections of the code, SLAM cites section 1.2d in that it "allows double jeopardy and denies fundamental due process of law."

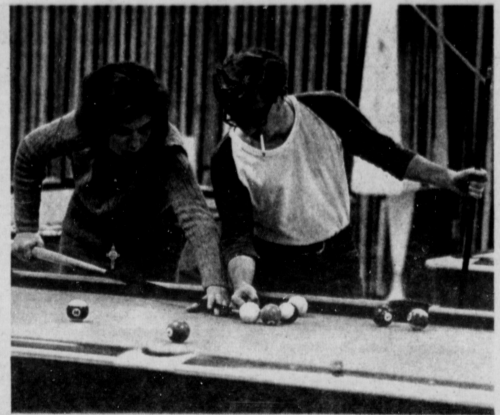
According to SLAM, a student can be punished by the University after he has already been convicted and punished in a local, state or federal court.

The group also charges that with this section the University can punish a student even if he has been found innocent by the outside court, and is not guilty of the charge against him.

Privacy Invaded

In Section 1.1417, SLAM believes that a student can be forced to self-incriminate himself. It also charges that by compelling him to testify against other students, his privacy has been invaded.

SLAM attacks Section 3.319 because in an open hearing, only reporters from "established newspapers" are permitted to attend. Writers from "radical newspapers" (e.g., the blue-tail fly) would not be allowed, SLAM said.



Kernel Photos By Phil Gardner

To Work ... or To Play!

Whether studying or shooting a game of pool, the word now is 'togetherness'. The couple at left were seriously studying in the King Reference Room; while those at right enjoyed the Student Center's game room.

Police, Justice Officials Observe Tapes of 'Calcutta'

By The Associated Press

Police and Justice Department officials were observers at many of the video tape showings of the play "Oh! Calcutta" at 86 theaters across the country.

The off-Broadway show, which features nudity and simulated sexual intercourse, was canceled in 11 cities.

In Cambridge and Springfield, Mass., police interrupted

the Monday night showing, confiscated the tape and arrested the exhibitors on obscenity charges. In Columbus, Ohio, police allowed the play to be shown but confiscated the tape and charged the theater owner afterward.

In Peoria, Ill., a judge issued an injunction against a showing of the play at a drive-in.

Eight showings were canceled

by the exhibitors who said they feared legal action.

"I just thought I'd not show it rather than go to court," said Royce Adams, president of a company owning Civic Follies Theater in Syracuse, N. Y.

In many theaters, owners said police and Justice Department officials were in the audience as observers. The Justice Department was awaiting word from its reviewers before deciding

whether federal obscenity laws were violated.

In Indianapolis, members of the police vice squad were in attendance to capture some of the play on videotape for evidence. They did not interrupt the show and Leroy New, chief trial deputy prosecutor, said Tuesday he didn't think the showing violated any Indiana laws.

In Louisville, Ky., FBI agents seized a tape of the musical but a federal grand jury in that city is leaving it up to Department of Justice officials in Washington, D. C., to decide on the alleged obscenity of the play.

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