

# THE KENTUCKY KERNEL

Tuesday, April 6, 1971

UNIVERSITY OF KENTUCKY, LEXINGTON

Vol. LXII, No. 116

## PEOPLES PARTY

### Activists vow new party to make system work

By GREG HARTMAN  
Kernel Staff Writer

Some 80 Kentucky "activists" met in Louisville this weekend to form a new political party to "turn the system right-side up." Delegates to the convention in Louisville's West End founded the People's Party of Kentucky, complete with platform planks and party organization. The party is to be "radically liberal," with primary emphasis on returning control of society to the people.

The idea for a convention to found a fourth party grew out of an Alternate America workshop in Lexington last February. At that time delegates drew up a

general "Statement of Principles" intended to guide future efforts at political action.

Friday night's session was opened by Carl Braden, long-time Kentucky activist. "The only source of power and taking power in America is the people themselves," Braden said, lashing out at the existing system.

"The same interests that own the state own the regular parties," he said. Braden pointed out the need to build a completely new state party structure and the futility of trying to "infiltrate the system" and reform from within.

For the rest of the night delegates discussed the "Statement of Principles." They thrashed out questions of political philosophy and the direction the party was to take.

Randy Ihara, a Transylvania student, pointed out the futility of short-range attempts at winning elections too soon. "The time will come to run a candidate when we feel we're ready," Ihara said, warning against diffusion of party power.

Other delegates fought out the question of individual rights vs. the rights of the state, and private ownership of land. No definite conclusions were reached, but opinion seemed to favor the individual over the state.

Saturday's session was a six-hour marathon intended to finish all the business necessary to found a party. Delegates grouped into workshops to create specific platform planks. Later in the day the entire convention met to organize its party structure.

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## PCCA plan strip mine protest

By SALLIE BRIGHT  
Kernel Staff Writer

A demonstration protesting strip mining in eastern Kentucky is being planned by the Campus Friends of Pike County Citizens Association.

The demonstration, to be held April 15, will start on the campus, probably in the lot near the Administration Building, and progress downtown to either the Courthouse or the Nunn Building on Walnut Street. It will be the second demonstration of the Campus Friends this year to protest strip mining.

Bill Penick, a member of Campus Friends, has written leaflets to pass out in downtown Lexington Saturday. Penick said the leaflets "concentrate on taxes." He also plans to pass out leaflets in high schools and on campus.

The April 15 demonstration has been scheduled for immediately after the LKD Turtle Derby to insure, Penick said, that there are plenty of people around. "We'll start agitating during the turtle race," Penick added.



Swearing in

Newly elected Student Government President Scott Wendelsdorf was sworn in last night by UK President Dr. Otis Singletary. Wendelsdorf was

elected last week in the largest voter turnout in UK history. (Kernel photo by Terry Williams)

## "Walk for Hunger" planned

By DALE MATTHEWS  
Kernel Staff Writer

A group of UK and local high school students are planning to march 25 miles through Lexington April 24 in a "Walk for Hunger."

The march is to be the fourth organized by the American Freedom From Hunger Foundation which was conceived by the late president John F. Kennedy in 1961.

Coordinator Karen Byron said she expects 1,000 people to undertake the hike from the Cooper Drive parking structure to Bryan Station High School, then to Tates Creek through Landsdowne to Lafayette and finally back to the UK campus.

Participants will solicit pledges from local citizens and businesses on a contribution per-mile-walked basis.

Money raised by the walkers will be donated to the Salvation Army Family Services and to the Marimanti training center in Kenya. The Marimanti center will use the money to establish

primary and secondary schools and an agricultural training center.

The walk for hunger movement has received

recognition from major personalities across the country including President Nixon. Lexington Mayor Charles Wylie will lead off the local march.

## State education council recommends fewer trustees

BOWLING GREEN, Ky. (AP)—Removal of the state superintendent of public instruction and state commissioner of agriculture from the University of Kentucky's Board of Trustees was recommended Monday by the state Council on Public Higher Education.

However, the council failed to adopt by a one vote margin a proposal to remove the governor from the UK board.

Both proposals had been put before the council during its March meeting but action was postponed until the April meeting.

The recommendations will now go to the Legislature's interim study commission on higher education, which will hold its first regular meeting next Monday.

The proposals had been included in the council staff's report on proposed changes in the state's higher education system.

Coupled with the recommendation for removal of the state officials from the UK board was the proposal that they be added to the membership of the council itself. The governor already appoints members to the council.

## Weather

Forecast for Lexington and vicinity: Cloudy and colder with occasional light rain and snow diminishing to flurries later today. High today 40, fair and slightly warmer tomorrow. Moon rises 3:34 p.m., sets 4:22 a.m. Sun sets 7:10 p.m.

## Extensive health insurance plan proposed

By MIKE MILAM  
Kernel Staff Writer

A new Student Health Insurance Plan, consisting of outpatient coverage and a hospitalization program, may replace the existing student insurance next fall. The new plan, however, has first to gain the Board of Trustees' approval.

The proposal, which is now in the hands of President Otis Singletary, first came to view last fall when a committee, appointed by the president, started evaluating existing health services. Singletary called the committee to adopt an insurance plan "with participation mandatory for all students not having substantially equivalent insurance coverage."

Although the proposed plan does contain many services that are offered in the existing Student Health Service, it has an additional clause that insures hospitalization for the student. This hospitalization provision would pay for 70 days of confinement, full cost of semiprivate room, emergency room treatment, care rendered in the outpatient department of a hospital, and coverage of surgical, medical and dental services.

According to John Dorson, graduate student and committee member, this clause is a "non-traditional type

of thing. It's not a plan where the Health Service will get more money to pay salaries. Instead, it is an operation designed to aid the student in getting away from the 'money out of the pocket' sort of thing."

Another consideration Dorson noted was that a student could be granted a "waiver" if he is under another type of hospitalization plan. He said some 75 percent of students are now covered by insurance, but noted that less than half of these are covered under "the existing programs sponsored by student organizations which would be supplanted by the recommended program."

Dorson said that the first part of his committee's proposed plan had, as its subject matter, four areas of interest. They are outpatient diagnostic services, outpatient care in specialty clinics, fee-for-services charges, and diagnostic services required in the University Hospital Emergency Room for medical reasons.

With the proposed plan comes increasing costs. Dorson related the hospitalization clause would involve an expense of \$40 a year. He also said that the coverage would extend at and away from the campus. He added that the coverage would include emergency treatment for accidents and injuries.

Pertaining to the outpatient clause, the costs or fees would be a \$14 total for the fall and spring semesters, \$4 for the summer term and \$2 for the intersemester.

Dorson also mentioned that although the costs of the program would be greater than that of the previous type of medical service, the fee is still at a minimum. "No other place can you get this excellent insurance coverage for so low a cost," he said.

Former vice president of Student Government Skip Althoff, who also served on the committee, said the committee's final report would also contain the notion of a student advisory committee for health services. He said its primary purpose would be that of a "watchdog" to keep health services for students flowing smoothly and that it would serve as a communication channel to air the complaints and needs of students in the matter of medical services.

"This is a starting point," observed Althoff. "Its (proposed plan) main goal is to provide health care. I think the board will review it carefully and I can't see how they can help but accept it. If they don't, then perhaps we've misjudged student opinion. As it stands now, we've got all of the eggs in the basket."

# Court okays bugging

WASHINGTON (AP)—In a major "bugging" decision the Supreme Court Monday gave government agents permission to send informers into the homes of narcotics suspects with hidden radio transmitters and to use the recorded conversations for prosecution.

Moreover, said Justice Byron R. White in the 6-3 ruling, the agent does not need a search warrant since there has been no invasion of the suspect's "constitutionally justifiable expectations of privacy."

Normally, White said, no one has a right to expect that a person with whom he is conversing will not reveal the conversation to the police, especially "one contemplating illegal activities."

The ruling, two years in the making and avidly sought by the Justice Department, evoked a plaintive dissent from Justice William O. Douglas. He asked: "Must everyone live in fear that every word he speaks may be transmitted or recorded and later repeated to the entire world?"

Justice John M. Harlan and Thurgood Marshall saying the Constitution dictates the need for a search warrant.

Meanwhile, the court indicated strongly that it will provide no comfort for local officials who try to zone out Negroes from white residential areas.

The forceful hint came in the court's unanimous rejection of an attempt by the mayor and City Council of Lackawanna, N.Y. to block construction of a housing subdivision for Negroes in an almost exclusively white neighborhood.

The city claimed in the test case that already taxed sewerage facilities were inadequate and that the land was needed for a park. Silently throwing out the appeal, the justices let stand federal court rulings that Lackawanna officials must prepare for the project, Kennedy Park Homes.

At the same time, the court split sharply and ruled naturalized American citizens living abroad can lose their citizenship if they don't take up residence in the United States for five years.

The decision, given by freshman Justice Harry A. Blackmun, directly concerned Aldo Mario Bellei, 31, an electronics engineer who was born in Italy and inherited his U.S. citizenship from his mother.

Bellei, who works for NATO in England, has visited the United States five times and registered for the draft but has not complied with a 1952 federal law that he live here for five years at some point between the ages of 14 and 28.

Blackmun said these naturalized citizens, unlike native born Americans living here, can have their citizenship taken away by Congress.

He was supported by Chief Justice Warren E. Burger and Justices Potter Stewart, White, and Harlan.

In a sharp dissent, Justice William J. Brennan Jr. said: "Since the court this term has already downgraded citizens receiving public welfare, and citizens having the misfortune to be illegitimate, I suppose today's decision down-grading citizens born outside the United States should have been expected."

Similarly irked, Justice Hugo L. Black recalled that in 1967 the court had held that no American can be deprived of his citizenship without his assent.

"Today, the court overrules that holding," Black said. "This precious 14th Amendment American citizenship should not be blown around by every passing political wind that changes the composition of this court."

Douglas and Marshall signed Black's dissenting opinion and Douglas signed Brennan's.

In another area, the court unanimously upheld the 1968 law that requires federal registration of manufacturers and importers of shotguns and rifles with short barrels, bombs, rockets, grenades and some other destructive devices.

The law was written after the court had invalidated an earlier registration procedure because Washington turned information over to state authorities.

Justice Douglas said no unconstitutional self-incrimination is at issue now since the government apparently keeps the information to itself.

The ruling permits prosecution of Shirley Jean Sutherland, of Beverly Hills, and Donald Freed, of West Los Angeles, for possession of hand grenades. Prosecuting federal authorities said Mrs. Sutherland and Freed planned to give the ten grenades to the Black Panther Party.

In other actions the court: — Ruled 6 to 2 that banks may not enter the mutual-fund field.

Rejected 7 to 2 a plea by officials in Netcong, N. J., to permit voluntary reading of prayers from the Congressional Record in public school.

Ruled 7 to 2 that gamblers convicted before the court's 1968 decision invalidating registration procedures cannot reopen their case on the basis of the ruling.

Rejected unanimously an appeal by a group of San Francisco parents who wanted to block the involuntary busing of school children.

By a 6-3 vote refused to consider an appeal by a rock 'n' roll musician who was convicted in Wisconsin for performing in an athletic supporter painted red, white and blue. Bryan Maker, the guitarist and singer, said the disorderly conduct law violated his free speech right and was vague and indefinite.

# news kernels

From AP reports

NEW YORK—The Carnegie Commission on Higher Education said today that 21 states are failing to provide what it considers adequate support for higher education.

The privately financed commission said that based on the latest available statistics, four states—Connecticut, Georgia, New Jersey and Virginia—failed to meet three of the four tests used to determine adequate support.

Nine states—Alaska, Delaware, Maine, Massachusetts, Nevada, New Hampshire, Ohio, Pennsylvania and South Carolina—did not meet two of the tests.

Alabama, Illinois, Kentucky, Louisiana, Maryland, Mississippi, New York and North Carolina failed one of the tests.

SAN CLEMENTE, Calif.—President Nixon has made no move to speed military review of the life sentence given Lt. William D. Calley Jr. for murdering 22 civilians at My Lai, aides said today.

They reported the chief executive, who twice last week intervened in the Calley case, believed the review should proceed through normal channels at its deliberate pace.

At the same time, the sources said, Nixon would have no objection if the Pentagon expedited the process through such mechanical acts as providing additional stenographers to prepare the full court-martial record. It must be completed before the case can reach the first level of review—by legal officers at Ft. Benning, Ga., where Calley was tried.

CHICAGO—Mayor Richard J. Daley, in a confident and jocular mood, predicted on the final day of his campaign for a fifth term that he will win "a substantial victory" Tuesday over liberal Richard E. Friedman, a Democrat turned Republican.

Daley, who will be 69 in May, was heavily favored to win another four-year term in City Hall and to preserve a Democratic party winning streak that dates to 1927.

WASHINGTON—Sen. William Proxmire, D-Wis., proposed today that President Nixon commission a study of "the true costs and effectiveness" of U.S. bombing operations in Southeast Asia.

Despite pressure he anticipates for a stepup in the bombing, Proxmire predicted such a study would indicate the number of U.S. air missions could be cut in half without reducing the effectiveness of the air war.

# Democrats urge U.S. to avoid S. Viet politics

WASHINGTON (AP)—Senate Democrats Monday called on the administration to stay out of this year's elections in South Vietnam and prove U.S. dedication to self-determination. "We have preached self-determination at least since the time of Woodrow Wilson," said Majority Leader Mike Mansfield.

"I think it is time to put that principle into effect and not just talk about it," he declared in a floor speech in which he called the war a "corrosive cancer on the body politic of America."

Introducing a resolution designed to guarantee U.S. neutrality, Sen. Adlai E. Stevenson III, D-Ill., accused the administration of actively working for re-election of President Nguyen Van Thieu and Vice President Nguyen Cao Ky.

The two leaders are up for re-election in October following legislative elections in August.

Stevenson said the U.S. Information Agency in South Vietnam has been promoting the Thieu-Ky regime.

He also said U.S. Ambassador Ellsworth Bunker was quoted in the South Vietnamese press last fall as saying the United States supports re-election of Thieu and Ky.

Although Bunker later denied such a statement, Stevenson said the damage was done.

In a floor speech and at a news conference later, Stevenson accused the administration of seeking to continue the Vietnam conflict as "a proxy war among Asians."

Stevenson's resolution would establish a commission of five House members and five senators to oversee U.S. activities during the election campaign to assure a hands-off policy.

"The intent of this resolution is not to defeat Thieu and Ky, but to neutralize the political advantage which our military involvement affords them," Stevenson said.

Senate Republican Leader Hugh Scott said Stevenson's resolution might do more harm than good.

He said it would be interpreted as a "convert move to undermine the present government or to maintain it."

In another resolution introduced Monday, Sen. Jack Miller, R-Iowa, calls for complete withdrawal of all American forces from South Vietnam within 12 months following an exchange of POWs and an accounting for men missing in action.

## METAMORPHOSIS

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## THE KENTUCKY KERNEL

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# UK to show "Civilisation"

By MIGUEL CUADRA  
Kernel Staff Writer  
New York. The camera majestically pans the silhouette of iron and steel.

New York. Man's grand spectacle. It took almost the same time to reach its present condition as it did to complete the gothic cathedrals.

But—the cathedrals were built to the glory of God. And New York was built to the glory of mammon; money, gain, the new god of the nineteenth century.

This is part of the sullen message which "Civilisation" expressed in the first of its series.

During the remainder of the spring semester, this series will be shown to the campus and the general public free of charge.

"Civilisation," a 13-part series that traces the great ideas and events of Western society over the past 1600 years, has won critical acclaim on two continents. It was made possible by a \$300,000 grant from Xerox to National Educational Television (NET).

Produced by the British Broadcasting Corporation (BBC), "Civilisation" was televised originally in Great Britain in 1969 and seen on Canadian television early in 1970. In the United States, it has played to full houses at art galleries and universities. It was locally seen through ETV.

The program were created and written by British art historian Kenneth Clark, who also narrates the series. Reviewers have lauded Clark's performance on camera to the same high degree they have lauded the show itself.

NET has again demonstrated successfully that cultural and public affairs programs can be entertaining, as well as enlightening—the premise with which Clark approached the filming of "Civilisation."

While Clark has referred to "Civilisation" as an "intellectual soap opera," there are some fans of educational television who are calling it "an adult Sesame Street."

Clark, 66, who was knighted by Queen Elizabeth, has knit

various elements to make a coherent whole. He tells the story of civilization through mankind's greatest paintings, architecture, sculpture and music. He explains:

"If I had to say which was telling the truth about society, a speech by the minister of housing or the actual buildings put up in his time, I should believe the buildings."

Preparing a series about civilization was a mammoth job, even for someone with Clark's credentials. Clark travelled half-way round the world to film "Civilisation": he filmed seals off the shore of Iona, Charlemagne's throne in Aachen, the Sistine Chapel, the hillsides of Assisi, the canals in Amsterdam, Napoleon's tomb in Paris, the Sorbonne, Dove Cottage, Chartres Cathedral, the Swiss Alps, the German pilgrimage church of "Fourteen Holy Men" (Vierzehnheiligen) and Jefferson's Monticello to mention a few. As merely a series of picture postcards, "Civilisation" is an unparalleled opportunity.

Kenneth Clark is confident that he has captured the essence of Western civilization in this series. "It's strictly a personal view of civilization and therefore other scholars could make mincemeat of it if they wished," he says. "But I don't think I'm wrong when I say of each epoch that I'm discussing, this was the most important thing for humanity at that time."

"A series like this can't be passed off as a comprehensive history," Clark feels. "You can only say these are the moments I want to show, when the poor human race took two struggling steps up."

The result is a grand tour of Western Civilization on a gigantically informative and entertaining scale. En route, Clark explains painting and people, architecture and music, philosophies and influence.

"I have tried through this series to define civilization in terms of creative power and the enlargement of human facilities," says Clark. And Clark has succeeded.



## Early Easter

Members of the UK sorority Alpha Chi Omega three coeds are Lois Adomat, Sylvia Burk, and joined with children at the Georgetown Street Sally Shearer.  
Orphanage Sunday for a "pre-Easter" party. The

Following is the schedule for the showing for the "Civilization" series:

Film	Time and Day	Place
No. 1.3—"Heroic Materialism" New York as a representation of 20th Century materialism	3:00 Wednesday, March 31 7:30 Thursday, April 1	Student Center Th. CB 118
No. 1.2—"The Skin of Our Teeth" and "The Great Thaw"	3:00 Sunday, April 4 7:30 Wednesday, April 7	Student Center Th. CB 118
The beginnings of European Civilization in the Early Middle Ages and the Romanesque Period.	7:30 Thursday, April 8	CB 118
No. 3.4—"Romance and Reality" and "Man—the Measure of All Things"	3:00 Sunday, April 11 3:00 Wednesday, April 14	Student Center Th. Student Center Th.
The Gothic & early Italian Renaissance seen through St. Francis, Dante and Brunellesco's architecture.	7:30 Thursday, April 15	CB 118
No. 5.6—"The Hero as Artist" and "Protest and Communication"	3:00 Sunday, April 18 3:00 Wednesday, April 21	Student Union Th. Student Union Th.
Renaissance Italy in the days of Michelangelo and Northern Europe during the Reformation.	7:30 Thursday, April 22	CB 118
No. 7.8—"Grandeur and Obedience" and "The Light of Experience"	3:00 Sunday, April 25 3:00 Wednesday, April 28	Student Center Th. Student Center Th.
The Baroque civilization of the Catholic Reformation and the northern art of the 17th century.	7:30 Thursday, April 29	CB 118
No. 9.10—"The Pursuit of Happiness" and "Smile of Reason"	3:00 Sunday, May 2 3:00 Wednesday, May 5	Student Center Th. Student Center Th.
The founders of the American nation and the Enlightenment in Europe.	7:30 Thursday, May 6	CB 118
No. 11.12—"The Worship of Nature" and "The Fallacies of Hope"	3:00 Sunday, May 9 3:00 Wednesday, May 12	CB 118 Student Center Th.
Romanticism and the Revolutions of 1789 and 1848.	7:30 Thursday, May 13	CB 118
No. 13—"Heroic Materialism" The Twentieth Century.	3:00 Sunday, May 16 3:00 Wednesday, May 19	CB 118 Student Center Th.
	7:30 Thursday, May 20	CB 118

All showings are free to students, faculty and the general public.

For further information contact John B. Stephenson, Dean of Undergraduate Studies, Patterson Office Tower, 257-1870.

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**MISCELLANEOUS**

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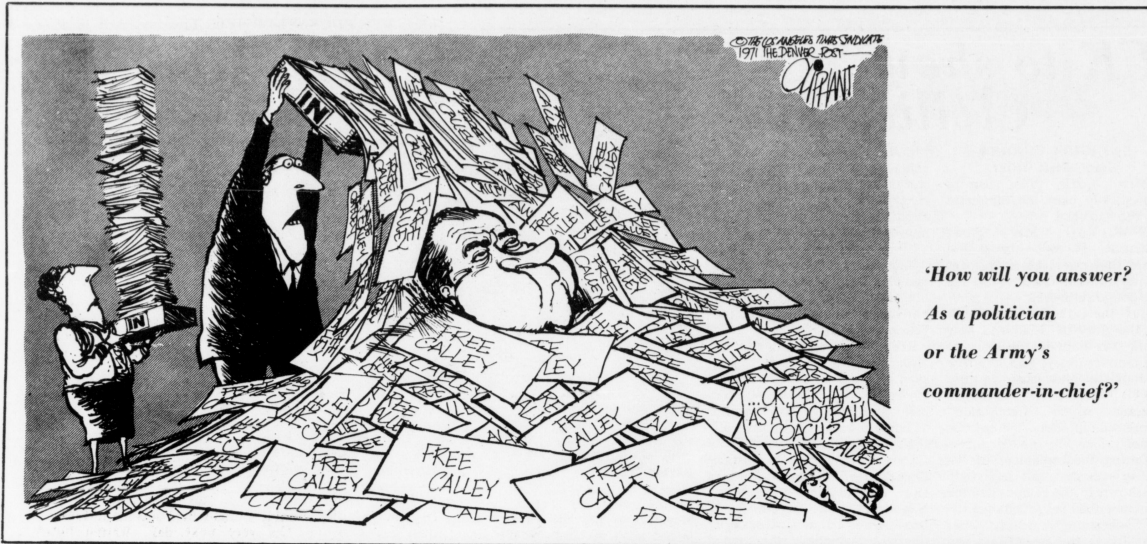
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## Reflections of student thinking

If there is any accurate reflection of the student desire for more and better means to involve students in the academic affairs which govern their education, it has to be the recent student government election and the registering of 94 students for seats in the University Senate.

Scott Wendelsdorf, who ran on a platform stressing wide student participation in their own affairs, won the student government race in UK's largest election turnout. Furthermore, the 94 students, who registered for University Senate seats represents 60 more students than signed up for last Fall's student government assembly race.

It is only unfortunate that the Board of Trustees could not accurately view student potential when they watered down the Tripartite plan from 33 students to 17. Now, with the "equal instead of proportionate" trustee reasoning, many students who would be willing to spend time in the Senate will not have the chance to do so. Now there are 16 students registered to run for the Senate from the College of Arts and Sciences alone. The same is true for the College of Education. However, only one from each college can have a seat.

Actually when you sit down and think of it, maybe the trustees did recognize the student's potential. After all, the students thought up the Tripartite plan, didn't they?

## Kernel Soapbox

### Student power by participation

By REBECCA WESTERFIELD  
Student body vice-president

*"Power is actualized only where word and deed have not parted company, where words are not empty and deeds not brutal, where words are not used to veil intentions but to disclose realities, and deeds are not used to violate and destroy but to establish relations and create new realities."*—Hannah Arendt

In last week's election the students of the University of Kentucky partly manifested their belief in this concept of power. Students—all students—must now make a further commitment to the ideal of student power by participation. A vote for change without any further commitment and involvement is tokenism.

We are not necessarily advocating that every student join that structure of committees known as "student government"; we are advocating that every student join in students' governing... in the dorms, in the community, in student organizations, in the departments and colleges, in all areas.

Each student decides his/her own goals and priorities and the means for attaining them. If the student chooses to work in "student government," he/she will be welcomed. (The student government office belongs to all students; it is open to all students). If she/he chooses to work with a departmental student advisory committee—fine. It is a personal decision.

However, it is when a student makes such a choice and finds difficulty in carrying out this decision that the "student government" should be called upon to help create the opportunity that student needs. The "student government" has facilities, publicity, funds and organization which can and will be put to use to meet the needs of the student

body. But most importantly there are people who can encourage, support and work. It is through the individual students that "student government" must and will respond to make "student power more than a slogan."\*

\*Scott Wendelsdorf April 1, 1971

### Willie Gates III

#### 'Student 1 is a person of accommodation'

**EDITOR'S NOTE:** This is the first of a series of three columns.

At our institution there are countless variations in the student body. But, distilled from this variety of student forms are two dominant types, each representing a pole of the student spectrum. I will call these two student types students 1 and students 2.

Students 1 is the status quo student, more or less content with sidewalks, the Classroom Building, and the scheduling of spring vacation (cafeteria food is the one exception). A student living in the dorm this year and wanting to next year falls under this category.

Student 1 is a person of accommodation. He will adapt to a situation if he can, otherwise he will ignore it. Area requirements are tolerated or at least taken. These students have strong identification needs which brings us to the next point.

Student 1 can be found in one basic social cluster, extending from the right to the medium left (politically speaking), stopping just short of the red menace. The security of their college after-life is the one common concern of these students and motivates their journey through the University.

Student 1's favorite professor is Professor Zlato, good-natured astrologist, perhaps a little distant, but pleasant.

## THE KENTUCKY KERNEL

ESTABLISHED 1894

UNIVERSITY OF KENTUCKY

TUESDAY, APRIL 6, 1971

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

### Kernel Forum: the readers write

#### Supports Gates

To the Editor of the Kernel:

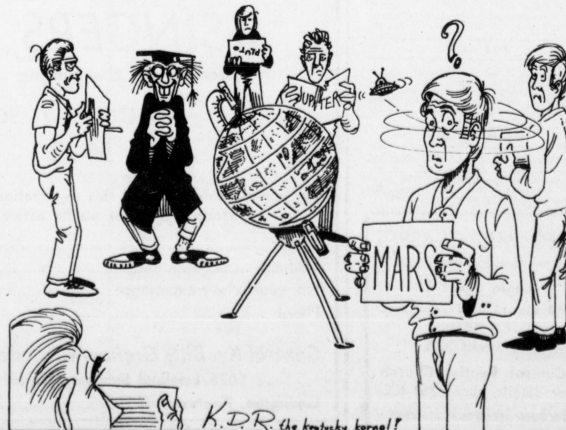
Memorial Hall is filled with 600 students busily writing down facts rattled off by a distant lecturer who doesn't even know they exist so that they can regurgitate the facts on a rote memory multiple-choice test. Students spend two years fulfilling General Studies requirements, half of which they had covered previously in high school courses. Other students discover that they can not graduate because they failed to take a course that some dean thought was important.

This institution of higher education is little more than a massive conveyor belt production line producing cardboard-backed computer card people programmed for sale on the open market. No longer is the student motivated by learning; it's more like a mad rush to get a program hole grade "A" punched into his cardboard flesh instead of grade "B" hole, since we all know A's compute better than B's. The quality of the product is irrelevant when compared with the quantity of 17,000 products. Who cares what he learns, or what he thinks?

These and other problems should be the concern of every student who would rather consider himself an individual than a computer card. Since the Board of Trustees has made it impossible for the college of Arts and Sciences to be represented on the Student Senate by more than one person, the students must be quite selective in whom they choose to represent them. Willie Gates III seems by far the most qualified candidate. He has concerned himself with educational problems by participating in the Free University Coordinating Body, Student Government, Quest and the Biology Notes Project, which many students have taken advantage of. He is also working with Dr. John Stephenson, Dean of Undergraduate Studies, dealing with numerous educational problems and improvements at the University.

If you are dissatisfied and desire positive change, we would urge you to vote for Willie Gates III as Student Senator representing Arts and Sciences.

GLEN HARVEY  
Junior, A&S  
WOLFGANG GURR  
Junior, Topical major



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# Burger Court seen as more conservative

WASHINGTON, D.C. (CPS)—If your conception of the Supreme Court was formed during the Earl Warren era of the 60's, it's time to change it. Warren Burger and Harry Blackmun, the "strict constructionists" Nixon promised, voting together 45 of 47 times, have totally changed the character of the Court.

They have generally been joined by Justices White, Harlan and Stewart to form a solid conservative block. Justice Hugo Black appears to be shifting from liberal to conservative—he wrote the majority opinions in the first cases discussed below—and Justice Thurgood Marshall has always been only "moderate". Justice William O. Douglas, the only liberal on the Court, is increasingly freaked out:

"We are in period of history when enormous extrajudicial sanctions are imposed on those who assert their First Amendment rights in unpopular causes... when interests with powerful spokesmen generate symbolic pogroms against nonconformists."

In recent years, the two most important tools of Movement lawyers for protecting the First Amendment rights of speech, press, assembly and religion have been federal court injunctions and declaratory judgments. Although they often have not worked very well, because they rely on a court's recognition of official deprivations of individual rights, they have been about the only help around.

Examples of this type of action include the overturn of laws against abortion, homosexuality and occupying tenements; the establishment of the right to leaflet at shopping centers; and protection of underground papers from politically motivated obscenity and licensing prosecutions.

Federal court injunctions prohibiting or compelling state action spring from the concept of a federal responsibility to protect the rights of citizens which was established by the Civil War, the consequent adoption of the Thirteenth, Fourteenth and Fifteenth Amendments and the Civil Rights Act of 1871. The availability of federal court injunctions was reaffirmed by Congress in 1908 and again in the 1930s, when for the most part they were used to protect corporate

property rights from control by populist state regulation.

In applying this doctrine of federal responsibility to the rights of people and not just property, the Warren Court of the 1960's was exposed to the myriad of subterfuge, intimidation and official suppression used by the states against the civil rights movement.

The Court responded in 1965 with its decision in *Dombrowski v. Pfister*. It recognized two situations—first, that states bring "bad faith" prosecutions to harass people (especially blacks) who attempt to exercise first amendment freedoms and that such prosecutions in themselves violate individual rights, regardless of who eventually wins the case; and, second, that the mere existence of broad, vague or patently unconstitutional laws which could be used against acts of free speech, press, assembly or religion inhibit the exercise of these rights ("chilling effect"). On these bases, the Court decided to allow injunctions against state criminal prosecutions.

The declaratory judgment was established by Congress in 1934 as a forum for testing constitutionality. The development of the declaratory judgment was embodied in the 1967 case of *Zwickler v. Koota*. This case stated that unlike injunctions, no special circumstances are necessary to consider a declaratory judgment: rather, whenever a controversy involving fundamental constitutional rights exists, a person is entitled to enter federal court without proceeding in state courts. This decision was reaffirmed Jan. 19 by the Burger Court.

However, on Feb. 23, the Supreme Court rescinded much of this concept of federal rights federally secured. It relied on a 1793 act prohibiting the issuance of injunctions against state court proceedings and a concept called "Our Federalism" which leaves protection of civil rights to the states.

The Court assumes that the state courts will provide an adequate forum for deciding constitutional issues. As we shall see, this is denied in the very cases in which the Court chose to apply it. The fact is that for the most part state courts

will not even listen to federal constitutional arguments. Still, most of these decisions were 8-1, with Justice Douglas the only dissenter.

**Younger v. Harris** involved a test of a California law against "criminal syndicalism." Harris was prosecuted for distributing leaflets advocating changes in industrial ownership through political action. After California courts sustained that law's constitutionality, he sued to stop the trial. He was joined by two members of the Progressive Labor Party who claimed they were deterred from distributing leaflets advocating socialism, and by a university professor who feared he would be prosecuted for teaching about socialism. The three-judge court declared the law unconstitutional and enjoined prosecution.

The Supreme Court threw out the cases of all but Harris, saying that the lack of a specific threat to prosecute nullified their cases. It then reversed the decision of the district court on the grounds that federal courts should not interfere with a state court prosecution.

A similar result came out of an action by black Chicago residents against various vague statutes which Chicago police were combining with ransoms bonds to suppress dissent. The Court again found the lack of individual threats of prosecution important, although the particular plaintiffs were only representative of blacks as a class.

In *Samuels v. Mackell and Fernandez v. Mackell*, involving black members of New York's Revolutionary Action Movement indicted for "criminal anarchy," a request for a declaratory judgment was refused by the district court on the grounds that the law was constitutional. The Supreme Court went out of its way to say that, because a declaratory judgment would effectively have stopped proceedings the district court should not even have considered it.

In *Perez v. Ledesma*, a bookseller charged with obscenity challenged his arrest on the grounds that the statute did not provide for a preliminary obscenity hearing, a principle of several years' standing. Here the district court refused to grant either an injunction or

declaratory judgment, but granted a motion to suppress evidence. The Supreme Court reversed this because it too effectively topped the prosecution.

In *Dyson v. Stein*, police made two raids on the DALLAS NOTES office, seizing "everything" as obscene or used in making obscene literature. This district court refused to rule on the hearing-before-seizure issue because it supposedly related to police harassment rather than unconstitutionality. It did declare the law unconstitutional. The Supreme Court reversed, finding no "irreparable injury." Six justices refused to discuss the facts. Two declared the searches unconstitutional, but refused to decide on that basis because the district court had bypassed the issue. This sort of procedural two-step reappears throughout the decisions. As in the *Harris* case, there was no doubt that the law was unconstitutional, but the Supreme Court's decision keeps defendants tied up in courts or jails for a couple of years until it is finally held unconstitutional.

The very next day, Warren Burger announced a 5-4 decision stripping much of the force from the Warren Court's *Miranda* rule. The *Miranda* case, which made inadmissible as evidence any confession extracted without warning the prisoner of his right to remain silent and have a lawyer, has been a prime target of law'n'order forces—Attorney General Mitchell had announced that he would seek a test case of it, but then drew in his horns.

The Court in this case ruled that, although a confession obtained without warning cannot be admitted to prove the state's cases, it can be introduced to contradict testimony by the defendant if he "has the temerity to testify in his own defense." The majority claimed that to rule otherwise would allow the defendant to lie on the stand without fear of contradiction. No great accuracy can be expected from the interrogation "incommunicado and without counsel."

Also on Feb. 23 the Court split 5-4 in three cases ruling that, under the guise of an appropriately worded question, people otherwise qualified can be refused admission to the bar because of their political beliefs and associations.

## Today and Tomorrow

### TODAY

Daily Campus Events. For information phone 252-4616.  
**UK Choristers and Wind Ensemble.** Concert of contemporary music, 8:15 p.m. Tues., April 6, Memorial Hall. Free.

### TOMORROW

"Street Medicine." Free U. course to cover drugs and overdoses, 8 p.m. Wed., April 7, 319 White Hall. Sponsored by Kentucky MCR.  
**Student Mobilization Committee.** Laura Dertz, SMC national coordinating committee member, talks on the April 24 march on Washington, 7:30 p.m. Wed., April 7, 363 Student Center.  
**Forest-wildlife relationship seminars.** Dr. Bryant A. Bateman, Louisiana State University, lectures. Topic: "Eastern Forest as Wildlife Habitat," 10 a.m. Wed., April 7; "Forest-Wildlife Relationships," 2 p.m. Wed., April 7; "Managing the Forest," 9:30 a.m. Thurs., April 8. All lectures in room A-6, Agricultural Science Bldg.  
**"Hunger USA: Fact or Fiction?"** Dr. Milton J. E. Senn, Yale University, lectures, 4 p.m. Wed., April 7, Med. Center Auditorium. Free.

### COMING UP

Scuba school. International beginner scuba class. Begins Thurs., April 8. For information phone 278-8901 or 252-2211.  
 Thursday and Friday, April 8-9, recruiters from Camp Mondamin, Tuxedo, N.C., will be in the first floor of the Student Center across from the television lounge to take applications and interview students for summer jobs.  
 "Let's Keep Our Library Relations Public." Miss Alice Norton, New York Public Library, lectures. Library Science Colloquium, 7 p.m. April 8, 1971, Faculty Club Lounge, 357 Student Center. Free.

### Efficiency Apartments

442 and 462 Rose Lane  
 Summer rates \$90-\$100

Call 254-0452 afternoon and night or see Dwight D. Vance, 462 Rose Lane, Apt. 15.

**UK Percussion Ensemble.** Paul Moore directs concert, 8:15 p.m. Thurs., April 8, Memorial Hall. Free.

"The Mathematics of Time." Dr. A. G. Walker, University of Hong Kong, lectures. Physics Colloquium, 4 p.m. Fri., April 9, 153 Chemistry-Physics. Free.

"International Talent Show." Performances from different countries and other cultures, sponsored by Cosmopolitan Club, 2 and 8 p.m. Sat., April 10, 100 Student Center. Free show and adults \$1.25, children 75c for 8 p.m. show.

"Walk for Hunger." Lexington youths march April 24. For more information, call 258-8517 or visit 308 Frazer Hall, 9-5 Monday through Friday.

"Syntax Directed Pattern Recognition in Biomedical Science." Dr. Ledley lectures, 4 p.m. Tues., April 13, 205 Classroom Building.

The Black Voices of UK need contributions for a trip to sing in Chicago. Transportation money needed for 80 people. Contact Vicky Singler, 266-2025, or College of Social Professions, fourth floor Office Tower.

### MISCELLANY

Survival Kits. YM-YWCA sell food boxes for spring finals. \$2, available at Human Relations Center, 120 Student Center, before April 20.

Birth Control and Sex Education Counseling. By junior medical students, completely confidential. Males, females or couples, 7-10 p.m., Weds. nights, 3rd floor OB-Gyn clinic, Medical Center.

Free, free, confidential pregnancy tests and abortion counseling call the Women's Liberation Center at 252-9555 on Tues., Wed., Thurs., from 2-5; 5-9 p.m., or Fri. 2-5 p.m. and Saturday 9 a.m.-2 p.m.

Study Series in Trial Liturgy. The Rev. William E. Hubbell, Episcopal chaplain, conducts. Monday nights, 7:30 p.m., Canterbury Lounge, 472 Rose St.

The Planned Parenthood Birth Control Clinic is now operating at Broadway and Second St., Thursday and Monday nights from 6-8 p.m. Other clinics are listed under Clinics in the Yellow Pages.

Lecture notes. Biology 101, Psychology 210, Anthropology 120, and History 109 (Hamilton sections). Available room 204 Student Center. Sponsored by QUEST, a Free University group.

Volunteers Program Newsletter. — News items for month of April are solicited. Send information to Karen White, 120 Student Center.

Effective Mon., March 29, the offices of the Billings and Collections Department, Comptroller's Division, will be located in room 220, Service Bldg.

Lances, leadership and scholastic honors for junior men, is now accepting applications for membership. Juniors and second semester sophomores with a 2.8 cumulative standing are eligible. Application letters consisting of a list of activities and GPS should be sent to Damon Talley, Farm-House Fraternity, 316 Aylesford Place, by April 14.

## New political party meets in Louisville

Continued from Page 1

The platform planks, adopted by vote of the entire convention, ranged across every aspect of society. They included community control of schools, police and courts, an end to the drift and the abolishment of nuclear weapons, removal of limits on sexual freedom, a guaranteed annual income, and an end to racism and sexism.

A recurring theme during discussion of platform planks was the difference between "reformism" and "radicalism." UK law professor Robert Sedler

called for an end to "piecemeal reformism," to be replaced by a sweeping reorganization of the entire system. Other delegates agreed, citing the need for "radical" approaches to the nation's problems.

Certainly unrestrained capitalism found no defenders. "We need to put people over money, not money over people," said a Berea activist, introducing a platform plank calling for state control of all industry. It was adopted, as were amendments doing away with business secrecy and endorsing unions.



## DAWAHARE'S DAILY DOUBLE DAYS

NAME .....  
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### COMBINATION

WEDNESDAY'S WINNER WINNER  
 RACES 1st RACE 2nd RACE

395 S. Lime

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# Ray is pleased with Saturday's scrimmage

By BILL LEVINSTONE  
Kernel Staff Writer

"This was the best scrimmage we've had for this early since I've been here. We were very pleased with the spirit and execution after only five days of practice."

Coach John Ray's sentiments about the full scale scrimmage

his Wildcats held Saturday were echoed entirely.

In an interview yesterday, Coach Ray had the following in-depth opinions on the squad's progress so far.

Offense: "We are currently looking at and experimenting with several new offenses to try to best utilize the personnel that we have. We have a good flanker in Daryl Bishop and some quick receivers in Jim Grant and Ken O'Leary. For the first time, we have some excellent speed and quickness in our backfield and are looking at different offensive sets that would best suit us."

Quarterback: "We feel this position has narrowed down pretty well. Because of his experience, (Bernie) Scruggs is still ahead of (Mike) Fanuzzi. However, Fanuzzi is real quick and is doing a fine job. Ron Sciarro and John McHale are also doing well."

Bruce Wohlleb and Paul Karem are good passers, but slow afoot. If they work on their speed they'll help us, too. So far at this time, we're not planning to switch any of these six boys to other positions."

Backfield changes: "We feel that we needed more speed in our secondary and (Lee) Clymer is one of the fastest on the squad. We feel that he will add

to our defensive depth considerably. Because he has good jumping ability, we don't feel that his size (5'9") will hamper him. We'll still use him as a back-up offensive runner and practice him about ten minutes a day just to keep him fresh offensively."

"Earl Swindle is too good a football player to be playing fifth or sixth defensive back. As we use a lot of backs in a game, he'll have more opportunity to play being a running back. For there being only two days before Saturday, I thought he did very well."

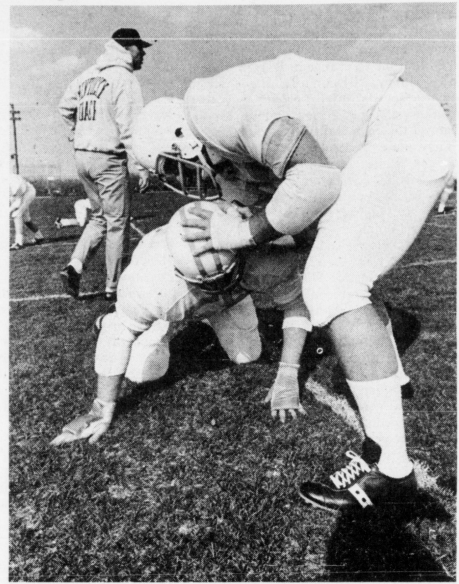
Backfield: "Arvel Carroll has done a real good job for us, but Gary Knutson and Mark Campbell are pushing him. Also, Paul Bushong, who missed all last year, has been coming along. So, we feel we have four fullbacks who have been improving everyday."

"Doug Kotar has done a real good job at halfback, and so have Swindle, and Frank LeMaster. Jack Alvarez has been a pleasant surprise. Mike Potter showed some spark Saturday, and with Clymer working in, we feel we'll be adequate at halfback."

Offensive line: "So far we have been pleased with the progress of these boys. The offensive line always takes a lot of work, because, naturally, they can't use their hands. These linemen are the 'unsung heroes' and it takes more technique and more work to get them to be proficient than it does a defensive player or a running back."

Kicking: "We need a lot of work on this yet. We have some adequate punters, although Saturday I wasn't too happy with the kicking. However, we haven't spent too much time on this aspect yet. I feel we'll have an adequate punting game, with Gary Knutson, Bill Bauer and Paul Karem handling that position."

"We've looked at several boys



The UK football team is still working over fundamentals but Coach Ray did find time Saturday for an intrasquad scrimmage. Ray's comments about the practice session are in the accompanying article. (Kernel photo by Ken Weaver).

for place-kicking and kicking off. The four outstanding ones in this area are Rick Muench, Bill Bushong, Ron Steele and Tom Kirk. Our place-kicking too, should be adequate.

Defensive line: "We have four defensive tackles we feel are doing very well. Bill Bushong and Mike Doggendorf are currently being pushed for their jobs by Tony Moffett and Harvey Sword, two sophomores."

"At defensive end, we have Frank Kirschner, Pete Kunk, Ron Steele, John Sandrick, and Jim Hovey, all of whom are doing a good job for us. We're pleased with the progress everyone is making and just hope it continues."

Linebackers: "Joe Federspiel, Elmore Stephens and Ken King are all doing an excellent job, as is Rick Muench, who we just moved to inside linebacker. Bill

Denny has also been a pleasant surprise. We're extremely pleased with the progress the linebackers are making."

Baseball players: "We're letting Steve Tingle play baseball for the rest of the spring, since the baseball team is doing quite well. We've also released Steve Parrish from the entire spring practice for baseball, as well. Jim Lett, however, will probably be coming back for the last two weeks of spring practice."

High hopes?: "Oh yes! I'm always optimistic anyway. This is a real fine group, they have a real fine attitude and we're pleased with their efforts. We also have good competition at most positions and we feel this will give us a better football team."

KERNEL CLASSIFIED ADS  
BRING RESULTS!

## How do you rate as an independent thinker?

Answer Yes or No.

- All your friends have decided to wear short shorts. You really don't like the look. Do you follow the gang?  
Yes  No
- You've just met a marvelous, interesting guy who's shorter than you. Would you be embarrassed to go out with him?  
Yes  No
- You've been invited to dinner again by a group of nice but uninteresting people. Do you feel obliged to accept?  
Yes  No
- All the charts say you're 10 pounds overweight. You feel fine and your clothes look well. Do you diet anyway?  
Yes  No
- You appreciate all kinds of music. Except opera. Do you think you should listen anyway because it's "the thing to do"?  
Yes  No

If you've answered "No" to three or more questions, you really rate as an independent thinker. Another example of your independent thinking: You use Tampax tampons.

Why Tampax tampons? Because, when you compare them all, only Tampax tampons give you these advantages: Each Tampax tampon comes in a silken-smooth container-applicator. Both applicator and tampon can be flushed away. No unwieldy stick or plastic tube to dispose of.

Worn internally, Tampax tampons are completely comfortable. Can't chafe, cause odor or irritate like bulky pads. Tampax tampons. They make every day of the year Independence Day.

Right from the start...



## Baseballers lose

The UK baseball squad fell to the University of Cincinnati, 7-1, Monday at Cincinnati.

The Bearcats made use of several UK errors in the early innings to grab a 6-0 lead and were never seriously threatened.

Lefty John Bowling, who took the loss, gave up the six runs, but most of them were unearned. Jim Roach pitched four excellent innings of relief.

Derek Bryant homered for the Wildcats' sole run.

UK travels to Auburn for a single game Friday and a twinbill Saturday.

## METAMORPHOSIS

840 EAST HIGH

### LEADERSHIP CONFERENCE

Friday, April 9  
6 p.m.

Rm. 245—Student Center

### FORUM

Art Buchwald

Wednesday, April 14  
8 p.m.—Grand Ballroom

### L.K.D. CONCERT POCO

FRIDAY, April 16—8 p.m.

Memorial Coliseum  
Tickets on sale at  
Central Information Desk  
\$3.00—\$2.50—\$2.00

### COFFEE HOUSE

Jamie Lewis

APRIL 19-24

Complex—April 19-20  
7:30-8:45

Grill—April 21-24

7:30-8:45  
Fri.-Sat.—7:30-8:45-10:00

**KARNI GRAS**  
Monday and Tuesday,  
April 12 and 13—Stoll Field  
starring the  
Wolfe Brothers, April 13

**L.K.D. RACES**  
Tickets go on sale April 6  
Commons—lunch & dinner  
hours, and Student Center  
Central Information Booth  
50c in advance—75c at gate

**TURTLE DERBY**  
Thursday, April 15  
12 noon—SC Patio  
Entry Fee \$1.00 any student  
organization  
Entry Deadline: April 13



PRESENTS . . .

Applications are now being taken for  
**OFFICE SPACE**  
in the SC for summer and next year and SCB  
Committee Membership  
Positions—Room 203—SC

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# Agnew says Nixon will increase rural aid

FRANKFORT, Ky. (AP)—Rural Kentucky would get more federal aid under President Nixon's revenue sharing plan than it does now, including all Appalachian programs, Vice President Spiro Agnew declared Monday.

Agnew made that statement in the House chambers here as he sought to promote the revenue sharing idea with state and local officials at a special meeting.

Less than half the 138 state legislators attended but virtually all of Gov. Louie B. Nunn's commissioners were on hand as well as many city and country officials.

Agnew said Nixon's proposal had two aspects: \$5 billion in new money for a general revenue sharing program and \$1 billion in new money to go with \$10 billion in existing aid plans for a special program.

Under the general program, he said, Kentucky would get about

\$78 million the first year, 52 percent of which would be retained at the state level under the national formula. That formula could be changed within Kentucky so that more money would go to the local level, he added.

Under the general formula by which that money is passed on to local governments, Agnew said, Louisville would get \$8.66 million, Lexington \$1.5 million and Frankfort \$248,000.

The special revenue sharing proposal is the one which has drawn the greatest criticism, however, and that is the aspect on which Agnew dwelled at greater length.

Under Nixon's plan, one-third of the existing federal grant-in-aid programs to state and local governments would be consolidated into six functional programs. Those six are: elementary and secondary education, urban development,

rural development, transportation, manpower training and law enforcement.

The Appalachian program would be "folded into" those areas, Agnew said "only after appropriate planning processes have been devised which will allow the good results that have come from the Appalachian program to continue." The rural development program would absorb most of those activities.

"The President does not propose to take all the categorical programs and abolish them," Agnew said. "In fact, he does not intend to abolish any of them and not even to touch or affect two-thirds of them."

Agnew maintained Nixon's plan would reduce the confusion and overlapping in the present system of categorical grants and would eliminate three "evils" in that existing system. Those "evils" listed by Agnew were:

- ▶ Matching requirements, which often force local governments to reverse their priorities in order to obtain needed federal money.
- ▶ Prior approval of Washington, which he said frequently requires paperwork to go back and forth so much that relevance is lost.
- ▶ Maintenance of effort, or required continuation of funding, which he said often has

resulted in programs which "ballooned out of sight" in terms of cost, much more than was anticipated when they began.

While urban development money could go directly to cities or urban areas, Agnew said, rural development funds would have to come under a state plan. He said that requirement for state planning for rural areas had been insisted upon by many governors, including Nunn.

Agnew also said that a federal take-over of all welfare programs, which some Democrats in Congress have been urging, was not a suitable alternative to revenue sharing.

Under a nationalization of the welfare program, he said, 51 percent of the total federal

money would go to three states—California, New York and Pennsylvania—and 62 percent would go to the 10 richest states. By contrast, he added, the 10 poorest states would get just 5 percent.

Citing a Gallup poll which showed that 77 percent of the American people were in favor of revenue sharing, Agnew blamed the national news media for not getting that across to Congress. In that respect, he specifically cited The New York Times, Washington Post "and other inept experts."

The people, Agnew declared, "would like Congress to pay attention to them rather than to the unelected royalty who invests the capital city with the pestilence of impracticability and stubborn smugness."

## Civil War battlefield may lose skirmish

SHARPSBURG, Md. (AP)—National Park Service officials say the Civil War battlefield at Antietam soon may lose its own skirmish with housing developers.

"I feel frustrated sitting here and seeing historic lands lost to developers," said W. Dean McClanahan, superintendent of the Antietam National Battlefield.

"My hands are tied because Washington County has no zoning ordinance," said W. D. Jones, planning director of the county planning and zoning commission.

McClanahan said a small corporation has applied to the commission for permission to subdivide 69 acres of privately owned land on the highest point of the battlefield. The tract, currently an open field, almost surrounds an obelisk monument to the Hawkins Zouaves, the 9th New York Union volunteers.

A placard near the monument says the small rise was "the high point of the Union attack" Sept. 17, 1862. The battle ended with the repulsion of the Confederate troops at nightfall.

The development would "destroy the setting of the complete Confederate right wing during the battle," according to John C. Frye, chairman of the county Historical Advisory Committee.

The battlefield is the scene of what a NPS spokesman said "was probably the bloodiest encounter of any single day in our military history" with 12,410 Union troops and 10,700 Confederate soldiers listed as casualties.

The federal government currently owns only 795 acres. McClanahan says he has sought unsuccessfully for the purchase of another 2,000 acres for three years. Of that, half would serve as a buffer zone against further anticipated development, he said.

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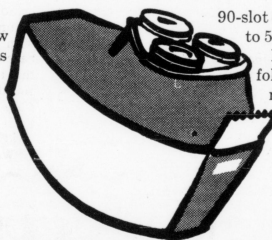
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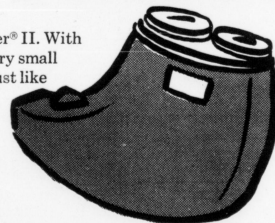
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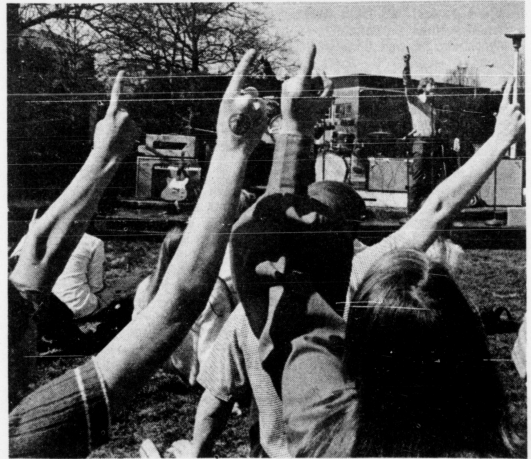
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Kernel Photos  
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