

THE KENTUCKY KERNEL

Friday, Sept. 25, 1970

University of Kentucky, Lexington

Vol. LXII, No. 16

Roberts Gets Senate Seat At Turbulent SG Session

By RON HAWKINS
Assistant Managing Editor
At a Student Government Assembly meeting last night, Rona Roberts was selected to fill the fifth student seat on the University Senate.

The vote came after much consideration of candidates' qualifications and charges of political manipulation. The other candidate for the University Senate seat was Ben Fletcher.

Pennington Resigns

During the squabbling that went on during the discussion

for the seat, SG speaker Buck Pennington resigned. Student Government president Steve Bright took over.

After Miss Roberts was elected, SG representative Graeme Browning moved that a new speaker be elected. Willie Gates, Ben Fletcher and Buck Pennington were nominated. Gates and Fletcher both withdrew their names, leaving Pennington the only candidate. Having been re-elected Pennington said, "Thank you for the vote of confidence."

Stop Lights Studied

Among other Student Government actions a \$150 donation to Zero Population Growth was approved, and a directive calling for a study to see how traffic lights could be installed at Harrison Avenue and Euclid Avenue was passed.

Student Government also passed a directive calling for an investigation of the possibilities of moving SG meetings around the campus. The bill passed despite objections by SG president Steve Bright who said, "Do we really want to share this?"

ACT Maps Campaign For Fall SG Seats

Action Coalition (ACT), a student political party of about 30 members, is now recruiting possible candidates for November Student Government Assembly elections.

Sixteen of the 32 assembly members will be elected at this time.

ACT hopes to run 12 students on its ticket. All potential candidates are invited to attend the next meeting of ACT at 6:30 p.m. Sunday, Oct. 4 in the Student Center.

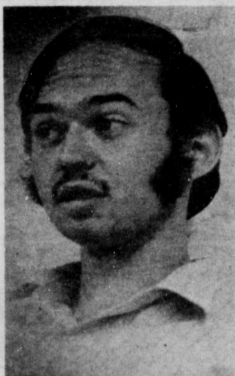
'Not Playing Politics'

Party chairman Tom Converse emphasized during ACT's meeting last night that the party has no clear-cut political ideology. "We're not playing politics within the university system," he stated.

ACT's main purpose, added member Josh O'Shea, is to elect "responsible" representatives who are sincerely interested "in trying to do something constructive in the university," and who feel that being a member of the assembly is one way of fulfilling this goal.

Could Be Hurt

Converse, when asked if ACT would be affected by the Student Coalition, a recently organized party, replied that ACT might be "hurt some." He mentioned that one of the factors involved would be the amount of money available to the respective parties.



Kernel Photo By Keith Mosier
TOM CONVERSE
ACT Party Chairman

Weather

Lexington and Vicinity: Considerable Cloudiness, with a few showers and thundershowers this afternoon and tonight. High today, 80, low tonight, 65, high tomorrow, near 80. Precipitation probabilities: 50 percent today, 30 percent tonight, and 50 percent Saturday. Showers ending and cooler on Sunday.

For 'Blocking' Senate Action

Direct Election Foes Assail Bayh

WASHINGTON (AP)—Opponents assailed the proposed constitutional amendment for direct election of the President Thursday as Sen. Birch Bayh, D-Ind., blocked Senate action on other measures.

Bayh, chief Senate sponsor of the House-approved amendment, tried to show that opponents are filibustering to prevent a vote on the proposal.

By blocking other legislation, he sought to force opponents to talk against the direct election amendment or else let it come to a vote.

Sen. James B. Allen, D-Ala.,

taking the floor for the opposition, said Bayh was holding up the passage of appropriation bills and other measures essential to operation of the government.

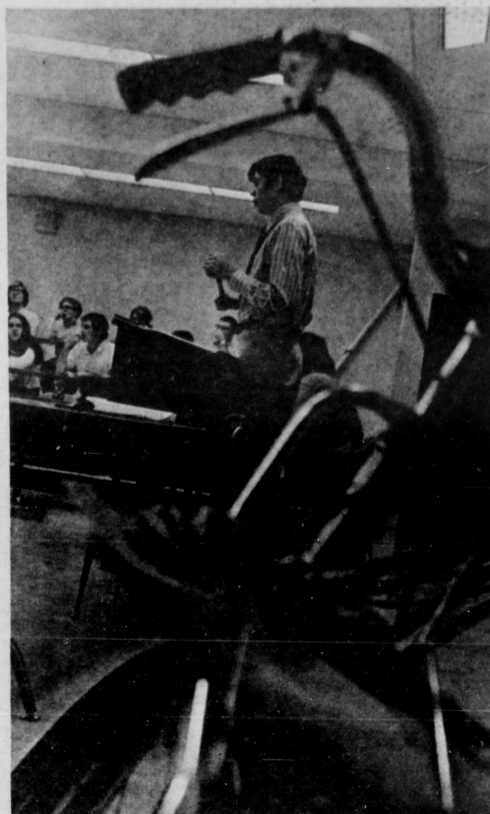
"I hope the senator from Indiana will abandon the Bayh filibuster and let the Senate consider the bills on the calendar," he said.

The amendment to abolish the Electoral College and provide for election of the president by direct, popular vote has been before the Senate since Sept. 8 but, by unanimous consent, it has been put aside from day to day to permit action on other measures.

Bayh said he was putting a stop to this and also was refusing to consent to committee meetings while the Senate is in session. His idea, he said, is to bring all the Senate's business except electoral reform to "a screeching halt."

Majority leader Mike Mansfield, D-Mont., said he will file a second petition Friday to cut off the debate on electoral reform by invoking the cloture rule. The move will be voted on next Tuesday.

A first attempt a week ago to shut off the debate fell six votes short of the required two-thirds majority.



Kernel Photo By Ken Weaver

Student Government Speaker Buck Pennington resigned his post as speaker, only to be "re-elected" when two sudden opposition candidates withdrew their names from the nomination list.

Without a Red Cent:

ALBANY, N.Y. (CPS)—The independence of the Student Association of the State University of New York at Albany was declared illegal, and its operations effectively shut down, in a decision rendered Sept. 17 in New York Supreme Court.

The decision, handed down by Judge Harold E. Korman, was regarded as widely significant, setting a precedent for all state schools whose student governments operate with mandatory student activity fees. The decision was the outcome of a suit brought by two Albany State students over the expenditures in 1969-70 for "political" matters such as transportation to Washington for the Vietnam Moratorium, the creation of a free school, and a black cultural weekend operated by the Third World Liberation Front.

University Enjoined

Judge Korman enjoined the University and the Student Association leaders from permitting any further expenditures to be made or for any debts to be incurred until the Board of Trustees had reviewed and approved the budget. As of Friday night, there was no indication when such approval would be obtained, if at all.

The action immediately affected every

student activity at Albany State, including intercollegiate sports, club activities, dances, concerts, and the operation of the student news media. Most significantly, it placed a student government in the unusual position of facing complete or partial control by the Board of Trustees.

The Central Council of the Student Association has declared such a position untenable, and called upon the Board of Trustees to approve the budget—all or nothing. David Neufeld, president of Student Association, announced plans for an immediate appeal. He directed Student Association lawyers, after a unanimous vote from the Central Council, to start legal proceedings in the state appellate court. Neufeld, along with Dr. Louis J. Benezet, president of SUNY Albany, and Dr. Ernest Boyer, chancellor of the entire state system, held a meeting Sept. 19 in an effort to release the funds, pending the appeal. Indications were that Dr. Benezet might assume personal liability, and allow all expenditures to be made in his name, pending the outcome of the appeal.

Considering Legal Action

Meanwhile, the Albany Student Press, and the on-campus radio station WSUA,

New York Court Cuts Off Student Group For Funding Moratorium, Free U, Blacks

both funded by Student Association, announced that they were considering separate legal action to raise in federal court the constitutional question of freedom of the media from suspension by the Board of Trustees.

The editorial staff of the paper, however, voted to continue operations with private donations and with the backing of the United States Student Press Association's newly created Legal Aid and Continuation Fund. A spokesman for WSUA said that the station could only operate until Sept. 30 without incurring further debt and therefore being in contempt of court.

In effect, the decision gave the Board of Trustees veto power over each expenditure line in the Student Association budget, effectively halting the independent operations of student government and activities at Albany State.

Judge Korman stated, "In the court's opinion, it cannot be said that the officials in the university have no voice or control . . . since appropriations may be made by the students only for the purposes permitted by the Trustees."

Ruling Is Landmark

"Since the responsibility of the ad-

ministration and supervision in this area rests with the Trustees, appropriations or expenditures of the fund may not be made without the approval of the Trustees."

Justice Korman's decision was widely regarded as a landmark. The decision makes it possible for any student in any state-supported school to move for a restraining order against his own student government, providing that government funded itself through a mandatory activity tax. According to this precedent, any such student expenditure not approved by the Board of Trustees would constitute illegal use of funds. There are 60 state universities, colleges, and centers in the N.Y. system.

In a related development during the same week, Comptroller Arthur Levitt sent a letter to Chancellor Boyer rescinding his 1968 guidelines which prohibited any interference with Student Association funds by University authorities. He called on individual campuses to set up guidelines for student expenditures, and to check their expenditures with those guidelines.

Said one student leader, "I feel like the net is closing in."

Theater Review

Loss of Cohesion Mars 'Shrew' Production

"The Taming of the Shrew" is playing at Actors Theatre in Louisville.

By FRANK S. COOTS III
Editor-in-Chief

Actors Theatre and director Jon Jory have missed the mark with "The Taming of the Shrew." William Shakespeare's classic comedy comes off as something less than classic and not very comical.

The play gets off to such a slow start that the first half-hour is a complete bore. After a while, however, the tempo picks up. There are two or three scenes that are hilarious, but the truly comical scenes could not comprise much more than 20 minutes of the two-and-one-half hour play.

Jory and the cast never effectively put together the mildly amusing scenes Shakespeare engineered to carry the load between the truly funny scenes.

The acting is also, disappointing in places. Lee Anne Fahey, who plays the shrewish

Kate's sister, does a poor job. Her constant flirting and giggling always manages to appear silly and pointless rather than humorous. Katherine Houghton, who plays the shrew, does an adequate job but not much more. Her ranting, raving and stomping

lacks the spontaneity needed to make the role convincing.

On the other hand, there is some fine acting in the play. Ken Jenkins does an excellent job as the shrew's suitor. He is perfectly suited for the role and his manner of delivery is convincing.

He comes across as the typical male chauvinist.

All in all, however, Jory's production was rather unimpressive. His light touch in the change of settings, in which the entire cast took part, added tremendously to the flow of the play.

Simon's Broadway Hits Are TV Mediocrities

By CYNTHIA LOWRY
AP Television-Radio Writer
NEW YORK — Two of the most interesting projects of the new televised season were put on display by ABC Thursday night: "Barefoot in the Park" and "The Odd Couple."

Both new comedy series originally were Broadway hits, and both were written by Neil Simon.

"Barefoot in the Park" revolves around the adventures of a pair of young, black newlyweds. It is unfortunate that the marriage between Scoey Mitchell and Tracy Reed will last only 12 weeks. Mitchell has been dropped by the show's producers after a disagreement. A dozen episodes have been completed with him as a fledgling lawyer in a prestigious New York law firm.

The initial show had his mother-in-law, employed by a Park Avenue tycoon, enlisting the young couple to help serve at a cocktail party. The young man's boss, of course, turns up at the

party, upsetting the hero and resulting in a lot of dropped trays and drinks.

Nipsy Russell and Thelma Carpenter are the other two regulars.

"The Odd Couple" started with a show very reminiscent of the high point in the play—a rowdy stag poker game. The two characters, this time played by Tony Randall and Jack Klugman, have survived intact. Randall plays the prissy, compulsive one, still fretting over his divorce. Klugman is the lusty

slob, happy to be rid of his wife and a tireless lothario.

All the screaming and arguing could become tiresome.

The comedies were followed by "The Immortal," pure action. Christopher George plays a racing car driver who is being pursued doggedly by an agent for an aging millionaire. Our hero, has blood that makes him immune to age and disease. The millionaire seeks to use him as a living blood bank.

The wild rides, careening cars, fights and narrow escapes may prove diverting.

ABC opened the evening with "Matt Lincoln," in which Vince Edwards appears as a psychiatrist interested in helping young people in trouble. In the first episode he was fretting over an unwed mother.

It was a busy, drawn out affair with a weak happy ending and little warmth or reality.

Even the presence of the skillful Patty Duke as the girl failed to give it a tone of truth. Edwards' main contribution seems to be looking worried or sympathetic and asking an occasional question.

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TOMORROW

India Student Association will have a picnic on Saturday, Sept. 26 at the Natural Bridge State Park. Departure time will be 10 a.m. from the Student Center parking lot. Bring your own food, soft drinks will be provided.

THE KENTUCKY KERNEL

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Editorial Page Editor



1970 Homecoming Queen Candidates

Choosing the 1970 Homecoming Queen will be a rough task—but it's nice to contemplate the choices before the task begins. Candidates for the title, pictured from left to right, are: Bottom Row: Norma Shamieh, G. P. Portwood, Donna Baker, Charlene Hobbs. Second Row: Carol Tweeddale, Susan Perkins, Kathy Price, Carolyn Workman, Janet Reinhart, Sarah McConnell. Third Row:

Karen Prising, Betsy Hayes, Patty Bellew, Karen Warren, Jill Casey. Fourth Row: Sandy Camie, Pam Henkel, Mary Cortright, Terry Miller, Fran Owen, Betsy Welsh, Susan Saalfeld. Not pictured are Terry Costanzo and Judy Alexander. Signs and posters are cropping up all over campus as the campaigns for queen begin to gain momentum.

Kernel Photo by Dick Ware

14 Named M. L. King Scholars

Fourteen University of Kentucky students have been awarded Martin Luther King Scholarships, said Dr. Michael Adelstein, chairman of the committee.

The undergraduate students are: Cornelia Adams, Eunice Archie, Beverly Benton, Samuel Giles, Pauline Lewis, Lenora Locke, Deborah Mumphy, Alice Oliver, Nancy Rowe, and Sharon Taylor, all of Lexington.

Emergency Loans

Graduate students are Ed-

ward Stevenson, Louisville; L.C. Taylor, Dallas, Tex., and Richard Gentry, Lexington, all of the College of Law, and Lynn Bailard, Chicago, Ill., College of Dentistry.

Adelstein said Mrs. Evelyn Black, secretary-treasurer of the King committee, reported there is little scholarship money left for the spring semester.

Deserving Blacks

"The increase in fees and the

decrease in scholarship funds have resulted in a dire situation that probably will force at least 10 students to drop out of UK unless some additional money can be raised," Mrs. Black said.

The King Scholarship Fund was established in April, 1968, to help deserving black students pay for books and fees. A committee composed mostly of faculty members conducts a fund drive each spring. Solicitation also has been extended to members of the Lexington community.

Man Can Best Explore Moon, Says Expert

WASHINGTON (AP)—From the beginning, the U.S. objective in reaching the moon was more than just bring back samples. Otherwise, the United States might have sent an unmanned ship—just as the Russians did this week.

"I think the achievement of the Russians with an unmanned vehicle is exciting and shows a high degree of technology," Dr. George M. Low, acting administrator of the National Aeronautics and Space Administration, said in an interview.

"The main thing to keep in mind is that the principal and

first purpose of Apollo was not in bringing back lunar samples, but to build a space capability for the United States; to build space power and space exploration capability and to demonstrate it," Low said.

"To meet these objectives we selected manned lunar landings which would require very large booster capability, very high technology of manned flight, guidance, heat protection and environmental control systems."

Science and exploration was a secondary objective when plans were being made nine years ago, Low said, and that involved bringing back lunar material.

"It certainly wasn't the principal purpose of Apollo," Low said. "Had our sole objective in 1961 been bringing back lunar samples we might well have also chosen the unmanned route."

In retrospect, said Low, "I still say the 1961 decision was absolutely correct, because it built the space capability we set out to do. We stated in 1961 what we were going to do, we did it in the eyes of the world, on time and within the funds that we told Congress it would be."

Washed Up

New Low-priced Car Is Too Low for Wash

DETROIT (AP) — The new Chevrolet Vega minicar has run into an unexpected problem— incompatibility with automatic car wash systems.

A trade association has warned operators of car wash systems that the small car would be damaged while going through the line because its undercarriage is one inch below the 5 1/4-inch minimum.

"Extreme caution is advised before washing this car on conveyors," said Automatic Car Wash Association International in a bulletin to its members in 49 states and 15 foreign countries.

A spokesman for General Motors said the firm was working on the problem. "We think it can be alleviated because it affects only one point on the underside of the car."

University Methodist Chapel

151 E. Maxwell Street

Sunday Worship 11 a.m.

ALL STUDENTS WELCOME

Rev. Thomas Fornash, Chaplin
Steve Rinehart, Student Associate

For transportation call 254-3714

To Talk With U.S. Officials

Bright Will Attend SG Congress

UK student body president Steve Bright and Dean of Students Jack Hall have accepted the invitation from the Association of Student Governments to attend the second annual Presidents Conference scheduled for Sept. 25-27 in Washington, D.C.

Last year, 600 student body and university presidents attended along with President Nixon, former HEW Secretary Robert Finch, Education Commissioner Allen, former Selective Service director Gen. Lewis Hershey and many other government officials.

This year the conference has been expanded into a two-part series, with planned conferences and addresses by Secretary of State William Rogers, Defense Secretary Melvin Laird, Attorney General John Mitchell, Selective Service Director Curtis Tarr, Interior Secretary Walter Hinkle, and presidential advisers Robert Finch, Pat Moynihan and Henry Kissinger.

Purpose Cited

Next February, all of the student body presidents will return to Washington for a three-day student conference to present the formalized student side of the dialogue.

The purpose of the two-part conference, according to conference director David R. Wanser is to provide "a real format for understanding, not another ritualistic exercise dedicated to communication." The first stage will give student body and university presidents the opportunity to hear the case from the executive branch of government and formulate student positions on campus issues.

With these objectives in mind, the Association of Student Governments is attempting to assemble the leaders of the campus and the nation to "explore the problems that plague the nation."

Hall Will Attend

Hopefully the conference will provide a chance for student body presidents to review and discuss the report of the President's Commission on Campus Unrest, headed by former Pennsylvania Gov. William Scranton. The report is

scheduled to be released sometime Saturday.

University and college presidents have been invited to accompany the student body presidents in an attempt to "broaden the dialogue to include another critical segment of the university community." This year, Dean of Students Jack Hall will accompany Bright in place of Dr. Singletary who is unable to attend.

Last year's representatives to the conference were Tim Futrell and Dr. Stuart Forth.



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Worship Services 10:30 a.m. 7:30 p.m.

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(Wednesday)

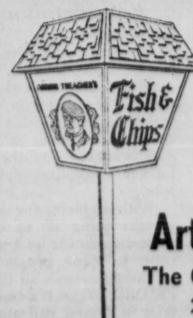
SUNDAY CAMPUS BUS SCHEDULE

MORNING	STOPS	EVENING
8:30-35	Jewell, Holmes, Keeneland, Blazer	5:30-35
8:40-45	Donovan, Haggin	5:40-45
8:50	Blanding and Kirwan Towers	5:50
8:55	Cooperstown	5:55

Light breakfast served at church

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"Peace, quit
while we're ahead?
Not us, Comrade?"



Kernel Forum: the readers write

Peace Fund

To the Editor:

The expansion of the Southeast Asia war into Cambodia and the tragic deaths at Kent State and Jackson State College this spring only served to heighten the general feeling among Americans that something is seriously wrong in this country. Many individuals turned to lobbying Congress to try to bring an end to American involvement in Indochina and a redirection of national priorities. Although these efforts are welcome and critically needed, it has become increasingly clear that much more will have to be done if significant change is to occur. But that kind of change is going to require some new faces in Congress, as well as the re-election of progressive-minded incumbents.

This is not going to be an easy task, of course. Campaigns are becoming more and more expensive, and progressive candidates often have difficulty finding the funds that will permit them to take their case to the voters. It was for these reasons that the Congressional Action Fund (CAF) was formed in February of 1970, with former Attorney General Ramsey Clark as Honorary Chairman.

CAF is a non-partisan, non-profit organization and has been raising money for Congressional candidates through grass roots, person-to-person solicitations in the community. As an affiliate of the National Coalition for a Responsible Congress, CAF has accepted responsibility for conducting a major fund-raising effort on college campuses across the country.

Candidates who will be receiving CAF funds are involved in races where, with some help, they have a real chance of defeating a conservative opponent. For example, in South Dakota, Jim Abourezk, a dove and civil rights attorney, is in a closely-contested race against a man who advocates compulsory citizenship training camps for all youth and calls for the bombing of Haiphong Harbor to win the war!

CAF's Board will soon be nominating for funding support approximately forty more candidates who share the Fund's commitment to a significant reordering of national priorities and who are in substantial agreement with its goals, which include withdrawal of all combat and combat-support troops from Southeast Asia by March 1971, a reduction in military expenditures by \$20 billion in the next fiscal year, elimination of hunger, reduction of environmental pollution, elimination of discrimination, and Congressional reform. Although there are more than forty candidates who support its goals, CAF will be selecting those candidates involved in close races, where their opponents differ significantly on the issues, and where contributions can change the outcome of the election. Funds raised through this nationwide effort are disbursed through CAF's two-step process: The Board nominates the candidates, and then the nominees are submitted to

the contributors who, by their votes, will choose the candidates to receive funding. Contributors on campuses across the country will be voting during October 3-5 which is our part of the National Coalition's activities.

CAF is not relying on gimmicks to raise funds. You can make your commitment to changing our national priorities by sending a check to CAF, 815 Seventeenth Street, N.W., Suite 424, Washington, D.C. 20006. Moreover, if anyone is interested in coordinating CAF on your campus during Oct. 3-5, please write to me at the same address.

Stephen Trattner
CAF Campus Chairman

Need for Braille Grant

To the Editor:

I am writing in reference to the article of September 15 entitled "Braille System Improvements Studied at UK." The article stated that UK had received a grant of \$22,900 for the study of "improving the braille system for blind readers by using computers."

In light of this grant, I would like to remind the University about a few facts:

1. There is not one braille dictionary on the entire campus (cost: \$200)
2. There is not one braille encyclopedia on the entire campus (cost: \$500)

There is not one braille typewriter on campus that is accessible to blind students (cost: \$450)

There are enough blind students on this campus to warrant the purchase of these items. However, not one cent of the \$22,900 grant will be used in purchasing any of these items. In fact, one blind student that I talked to was not even aware that a grant had been made!

While this grant may produce gratifying results in the long run, the purchase of these items would make study for the present blind students considerably more convenient.

Douglas Glover
(Freshman)

Consideration for Cars

To the Editor:

Have you ever been waiting in your car for someone when all of a sudden some nut pulls up beside you and BANG—off goes the paint on your door as he thoughtlessly opens his against it. Really bums you, doesn't it? If it does, you may want to join the SPCPJ (Society for the Prevention of Cruelty to Paint Jobs).

With the increasing number of parking garages going up on campus, chipped paint becomes more and more of a problem to those people who take pride in the appearance of their cars (We got PRIDE!). While it's true that the design boys in Detroit still aren't aware of this

problem, it's also true that the guys who paint the spaces in the garages don't know much about it either.

So until some clever lad in Ford's better idea department comes up with something such as rubber protectors on all doors, how about having a little more respect for the other fellow's paint job?

You scratch my car's back and I'll scratch yours.

Duke Brown
Electrical Engineering Soph.

SC Answers Queries

To the Editor:

This is in reply to the letter by Barbara Sutherland that appeared in the Kernel on September 17, in which she asked two questions of the Student Coalition.

Question one: How many of the number of the Student Coalition are actually

full time students at UK? As of this date the Student Coalition has 400 members. Of this number, 105 are affiliate non-voting faculty and staff members. The remaining 295 members of the Student Coalition are Freshman, Sophomores, Juniors, Seniors, graduate and professional students at UK.

Question two: What are the names of the organizations which merged to form the Student Coalition? No organizations merged to form the Student Coalition. It is a coalition of students, faculty, and staff with diverse political and personal views and aims, who happen to agree on one point. That point is that we will not allow UK to be disrupted by a small group of radicals who have something other than education in mind. The Student Coalition has no ties with any organization on or off the UK campus.

Terrence S. Fox
President, Student Coalition

Tom Bowden

Necessity of the Draft

When the Senate gave tacit approval to the continuation of the military draft late in August, the 52-35 vote did not split along party lines or along ideological (liberal-conservative) lines. The vote meant defeat for an amendment proposed by Sen. Mark Hatfield of Oregon and Sen. Barry Goldwater of Arizona which would have increased military pay rates. Such a step is acknowledged to be the logical starting place for a program to wipe out the draft completely. And that action would be consistent with President Nixon's campaign pledges to institute an all-voluntary military, and with the report of the Gates Commission on the draft, which the President himself appointed. The bill would have been the first step toward making the U.S. military a voluntary fighting force rather than a slave camp.

Why, then, did the White House end up opposing the Hatfield-Goldwater amendment? Why did many liberals, who have inundated their fellow senators with outpourings of diatribe on the evils of conscription, decide to vote for its continuance? Shouldn't their consciences be bothering them by now? And why was there no division along party or ideological lines?

The answer is that the Senators do not consider the draft a moral abomination to be eradicated—all of them, conservative and liberal, view the draft as a POLITICAL EXPEDIENT, AS A LEGITIMATE INSTITUTION FOR A FREE SOCIETY.

The senators callously admitted that the young men of America are commodities of war and are not intelligent enough to know when their freedom is endangered.

They are not brave enough to defend that freedom voluntarily if it is necessary.

Thus, the two major arguments for choosing to continue the draft cited a lack of funds for the pay increase, and the fact that WITHOUT THE DRAFT, NOT ENOUGH SOLDIERS WOULD VOLUNTEER FOR A WAR AS UNPOPULAR AS THE VIETNAM WAR.

This point of view was stated succinctly by Sen. John C. Stennis, chairman of the Senate Armed Services Committee and a principal opponent of the amendment. "As long as this war is going on, you're not going to get volunteers for \$160 more a month to go over and fight as riflemen in those jungles," he said, adding that half the men killed in Vietnam are riflemen and 90 percent of riflemen are draftees.

There it is...before your eyes and in plain language. American men haven't the courage of puppies. They have no conception of freedom or how it should be defended, and can never gain such knowledge.

Perhaps it is futile to hope that there will someday be a congressman who will rise and denounce the atrocity called selective service—which denies men the right to choose the course of their lives—and who will spend \$4 billion, if that's what it takes, to end conscription. Let us challenge the "right" of bureaucrats to order men to die—and let us not debate over how much it will cost to end it, or whether it will increase inflation, or whether President Ky will like it.

Let them acknowledge that the draft is wrong, and then work to eradicate it. This we should do instead of acknowledging that it is right...for then, why should we make any effort?

Suing Polluters—For Fun and Profit

Thanks to an Ancient Law, Catching Polluters Is a Lucrative Business

Ever heard of *Qui Tam*? No, you can't get it at a Chinese restaurant. And it's not a village in South Vietnam.

Qui Tam is a venerable old legal principle which allows you, the individual citizen, to file suit in the name of the government against people who break certain laws, and then collect half of the fine for a conviction.

The idea has been getting a lot of attention lately coupled with another crusty old law called the Refuse Act of 1899, which forbids anyone or any group from throwing pollutants into any navigable waters in the United States without a permit. "Navigable waters" are defined as rivers, lakes, streams, or their tributaries sufficient to float a boat or log at high water.

Permits are issued by the U.S. Army Corps of Engineers, but since the Corps has traditionally concerned itself chiefly with dredging, filling, and construction, relatively few permits have ever been issued. And those who have them (mostly industries) often violate permit provisions by dumping untreated discharges into the water.

What all this means is that now you can proceed directly to your local neighborhood industrial polluter, gather some information and samples, and then file a suit which could bring a fine of not more than \$2,500 nor less than \$500 for each day of

... *A jar, a lawyer, some dirty water ... and you're in business*

violation, of which you get half. It could also get the polluter thrown in jail for not less than 30 days nor more than one year, which is unlikely but nice to think about.

Use of the 1899 Refuse Act and the *Qui Tam* concept have been strongly advocated recently by the House Subcommittee on Conservation and Natural Resources, led by its chairman, Rep. Henry Reuss (D-Wisc.). Reuss himself has filed *Qui Tam* actions against four polluting companies in Milwaukee.

The Subcommittee has just completed a report, "*Qui Tam* Actions and the 1899 Refuse Act: Citizen Lawsuits Against Polluters of the Nation's Waterways," which will be released within a week and will be available from the U.S. Government Printing Office, Washington D.C. 20402 for 15 cents. It tells you exactly how to go about collecting evidence, filing suit, and cites impressive legal precedent to help you win your case.

Besides the Reuss suits, two other *Qui Tam* actions have been filed recently, one by a Seattle attorney and the other by an organization of bass fishermen in Alabama. Many environmentalists are hoping a lot more suits will be filed this fall.

"This is a beautiful project for college students and ecology groups," asserts Clem Dinsmore, legal assistant of the Conservation and Natural Resources Subcommittee, who helped research and prepare the report. "It's a great way to go after polluters."

Dinsmore recommends that student groups combine the talents of law schools and biology departments to keep legal fees at a minimum and quality of evidence at a maximum.

Basically, once you find a polluter to attack, you should prepare a detailed statement, sworn to before a notary public, setting forth:

- ▶ the nature of the refuse material discharged;
- ▶ the source and method of discharge;
- ▶ the location, name and address of the person or persons causing or contributing to the discharge;

- ▶ each date on which the discharge occurred;
- ▶ the names and addresses of all persons known to you, including yourself, who saw or knows about the discharges and could testify about them if necessary;
- ▶ a statement that the discharge is not authorized by Corps permit, or, if a permit was granted, state facts showing that the alleged violator is not complying with any condition of the permit;

- ▶ if the waterway into which the discharge occurred is not commonly known as navigable, or as a tributary to a navigable waterway, state facts to show such status;
- ▶ where possible, photographs should be taken, and samples of the pollutant or foreign substance collected in a clean jar which is then sealed. These should be labeled with information showing who took the photograph or sample, where, and when, and how; and who retained custody of the film jar.

This will be your basic ammunition in the suit, and should be filed in a U.S. district court, which apparently have exclusive jurisdiction to hear and decide such suits. The Supreme Court has upheld *Qui Tam* suits in the past on the basis that the citizen-informer has a financial interest in the fine and therefore can sue to collect it.

Actually, the 1899 Refuse Act contains a provision that suits against violators should be filed by the government, and the U.S. Attorneys should "vigorously prosecute all offenders." The U.S. Attorneys are also authorized to seek injunctions to stop pollution of navigable waterways and to force the violators to clean up, at their own expense.

However, recent actions by the Nixon Administration, through the Justice Department, have led many environmentalists to question the likelihood that U.S. Attorneys will fulfill their legal obligations under the 1899 law. This doubt has led to emphasis of *Qui Tam*.

In July, the Justice Department issued a fascinating memorandum called "Guidelines for Litigation Under the Refuse Act" and sent it out to all U.S. Attorneys.

The prosecution policy statement encouraged U.S. Attorneys to use the 1899 law "to punish or prevent significant discharges, which are either accidental or in-

frequent, but which are not of a continuing nature resulting from the ordinary operations of a manufacturing plant."

The Justice Department, while acknowledging that industrial pollution posed "the greatest threat to the environment," claimed that the Nixon Administration was already hard at work to stop large manufacturers from polluting. The Federal Water Quality Administration, Justice insisted, had set up "programs, policies and procedures" to which "we shall defer with respect to the bringing of actions under the Refuse Act."

'A beautiful project for students ... a great way to get polluters'

Assistant Attorney General Shiro Kashiwa of the Justice Department's Land and Natural Resources Division has stated that "we can see no justification for allowing court actions by individuals."

In short, it seemed to some environmentalists that the Nixon Administration, despite its strong rhetoric, was hedging in favor of big business and industrial interests.

Reaction from many sides was immediate and scathing:

- ▶ Stewart Udall, former Secretary of the Interior, said, "Environmentalists who fear that the Nixon Administration's anti-pollution drive may be half rhetoric, half promises and half politics have found a strange new ally. The Justice Department is trying to prove they are right."

- ▶ The Conservation Foundation, a respected national group, stated, "Our basic difficulty ... is with the underlying policy of the (Justice Department's) Guidelines ... The policy you articulate disregards the theory behind the Federal Water Pollution Control Act; federal leverage is required to force states to establish and implement water quality standards."

- ▶ And Henry Reuss, Wisconsin Congressman, complained that the Justice Department's "limited enforcement" doctrine "favors the polluter over the pub-

lic's interest in preventing the pollution of our waterways."

In a speech to the House, Reuss charged "total abdication" by Justice of its "statutory duty" to enforce the 1899 act. "The Attorney General," Reuss said, "whose sworn duty is to enforce law and order, is a scoff law where water pollution is concerned."

And in a statement that turned one of the Nixon Administration's favorite tactics back on itself, Reuss declared: "The Justice Department is quite willing to enforce the law against the occasional polluter, but not against

Corps has shown great improvement in the past few months, at least on paper. And Reuss seems confident that they will vigorously enforce their new standards.

The basic problem in the entire area of waterpollution law enforcement and prevention seems to be the underlying difference of opinion between the Nixon Administration and environmental activists concerning individual citizen involvement.

With the widespread emergence of the *Qui Tam* concept, the conflict may be decided in favor of environmentalists. Many believe this will be a vital gain. As Ramsey Clark, former U.S. Attorney-General, said in recent Senate testimony: "... there isn't any single symptom that better expresses the frustrations of modern life than the powerlessness of people to affect things of vital importance to them. You can't sue. You've just got to live with it. If the garbage isn't collected, if the park that you sit in is being leveled by bulldozers, you can't do anything. We can't go on like that. People have to have the power through legal process to affect things that are important to them."

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The Last Time Around

Archie Who? Rebel QB is UK's Problem

By JEFF IMPALLOMENI
Kernel Sports Editor

When one asks a ridiculous question one usually gets a ridiculous answer but still the question can't be avoided.

In this case the obvious question is what can Kentucky do to beat Ole Miss? The equally obvious, but not easy to accomplish answer is, to naturally contain Ole Miss' super quarterback Archie Manning.

The 6-3 1/2 All-Everything, who takes up two solid pages in the Rebel football guide alone, set 16 conference and national records last season and guided the Rebels to an 8-3 record that includes a most impressive 27-22 win over Arkansas in the Sugar Bowl.

College coaches have been devising ways to stop football's "Huck Finn" for two seasons but so far no one has been able to come up with the answer. Though Kentucky upset Ole Miss last year 10-9 it was only a blocked extra point by UK safety Dave Hunter that averted a tie. Manning did manage to score the lone touchdown from 64-yards out.

"He's the greatest I ever saw," said UK freshmen football coach Carroll Huntress, who scouted last week's Memphis St.-Ole Miss football game (Archie only scored two touchdowns and completed 17 of 22 passes, one for another touchdown. "And that includes a lot of the great ones," Carroll added, naming such outstanding former college quarterbacks as George Mira from Miami and Joe Namath from Alabama.

More Besides Archie

One can write a book on

Archie Manning but Ole Miss does have 10 other players who can't be over looked. In fact, the team almost looks like a carbon copy of last week's Kansas State game. All but three of the starting offensive team are seniors while the defensive unit lists eight seniors.

Experience is a big factor directing the Ole Miss machine. "They red shirt a lot of boys," UK coach John Ray said, "and that is like having some five year veterans."

Jim Poole, 6-5, 225 pounds, is a youngster on the team and yet he holds down the tight end spot on the offensive line. A junior, Poole comes from a noted football family, and is in a hurry to add his name to the list.

Last season he caught 43 passes for an all-time Ole Miss sophomore record and did some placekicking as well. He kicked four out of five extra points and one of three field goals.

The split end post belongs to senior Floyd Franks. Franks is not big but he can fly. Last year he broke six records of Barney Poole (you guessed it, Jim's uncle who was An All-America for Ole Miss in 1944) catching 54 passes for 720 yards.

One offensive Soph

Junior Randy Reed was filling in for the injured Leon Felts at Tailback and did such an outstanding job that Felts was moved to split and behind Franks. In 1969 Reed carried the ball 70 times for 258 yards and a 3.7 average. Against Memphis State last week Reed carried the ball 17 times for 95 yards and

caught four of Manning's passes for another 49 yards.

Fullback Luther Webb is the only new comer to the team, replacing the graduated Bo Bowen. The only sophomore on the starting squad missed last season because of a leg injury. Ole Miss' offense is made for a tough blocking fullback and Webb fits the bill at 6-2, 216 pounds. He also has excellent speed.

Speedster Vernon Studdard is often called the "home run" threat of Rebel receivers. The light wingback has caught 42 passes over a two year career totaling 677 yards and four touchdowns. He has averaged slightly better than 15 yards a reception.

The all-senior offensive line is anchored by pre-season All-America pick, Wimpy Winther. The 6-5, 225-pound center has all the moves and is almost certain to be drafted early by the pros.

Worthy McClure and Buddy Mitchell are the tackles. Both have garnered All-SEC ratings and have better than average speed and range. McClure has been timed at 4.9 seconds in the 40 while Mitchell has a 5.7 second clicking in the 50.

Skip Jemigan and Billy Coker are the guards. Coker is a bruising blocker and Jemigan has the ability to be a pro. He made the all-sophomore team in 1968.

Defensive Problem

Defensively the Rebels were worried about the line at the start of the season and the Memphis State game will has not secured Johnny Vaught's approval. Though the front wall is composed mainly of seniors, Vaught feels that the Memphis State

backs probably will not be equal to Cecil Bowens, Houston Hogg and Lee Clymer. "This week, Kentucky is our game of the year," Vaught said.

The defensive ends are John Gilliland and Dennis Coleman. Gilliland is big and fast but doesn't have the experience Coleman does. Coleman is a steady ballplayer and was an All-SEC pre-season choice.

Elmer Allen and John Aldridge man the tackle posts. Allen, a junior, is an extremely versatile athlete but lacks experience. Aldridge is a two-letter man, but came into his own last year when a leg injury sidelined Claude Herard.

Injuries have plagued middle guard Jeff Horn throughout his career. A neck injury in 1968 and a knee injury last season have sidelined Horn, who can play a linebacking position if necessary. He had 17 tackles, seven assists, and one interception at that position last year.

Crowell Armstrong and Fred Brister are the linebackers. Armstrong is expected to see his share of placekicking duties this fall and may even do a little punting.

The cornerback spots were won by Ray Heidel and Wyck Neely. Heidel has played every position in the defensive secondary since his sophomore year while Neely is expected to make All-SEC.

Contain Manning

Bill VanDevender has the job of monsteman. A roving back, VanDevender has excellent speed and last year cornered two interceptions.

Danny Hooker is the safetyman. Hooker will have a tough time replacing All-America Glen Cannon, but saw enough action to earn a letter for his performance.

Still, Kansas State looked this tough theoretically and look what happened to them.

Frosh Prepare for Opener As Varsity Guinea Pigs

By BOB WATKINS

The University of Kentucky Freshmen football team opens a five team schedule Friday, Oct. 2 in Knoxville Tenn. against the Baby Vols. Freshmen Coach, Carroll Huntress, calls this year's frosh squad one of the best ever at UK.

Huntress points out the team strength. "We think we have good speed in the backfield and at the end positions this year. Some of our backs are at least as fast as some of the varsity backs."

Huntress is impressed with several of the 38 scholarship players. "Our fastest back is Doug Kotar who is 5-11 and 185 from Cannonsburg, Pa. I'm looking forward to next spring to see him run against Cecil Bowens who is the fastest man on the varsity. It should be interesting."

The current freshmen crosphas been kept busy running the offenses of the varsity's opponents. "We've been so busy running North Carolina, Kansas State and Ole Miss. offenses we just haven't had any time to work on our own. As a matter of fact I thought we ran the Kansas State offense better than they did," chuckled Huntress.

Faced with the task of preparing his squad for next Friday's date with Tennessee, the former mentor at Bucknell University said, "We'll start next week working on teamwork and timing for the Tennessee game. We won't have time to do anything individually, but we'll be ready."

Asked to single out some of the Kittens who have been impressive so far, Huntress donned a pair of glasses and began going down a list. "Right now Mike Fanuzzi is our quarterback. He's

6-1 and 175 pounds from New Jersey. Jeff Woodcock from Nashville has real good quickness at flanker-back but then he can play anywhere. Frank LeMaster is coming along real well as both a tailback and a fullback. He likes the contact and has gained some weight. The defensive ends Jim Hovey and Ron Steele have been doing well."

When queried about replacing Roller, Hackett and some of the other defensive stars for the varsity Huntress says, "We think Tony Moffett, 6-3 and 225-pounds and Harvey Sword, 6-4 and 230-pounds will really help to replace Roller and Al Fish next year."

"As for the linebackers, Marty Marks and Elmore Stephens will do well. We picked up a good 'walk-on' linebacker in Paul Snider from Franklin-Simpson High School."

How does a freshman become a part of the UK football system? "We try to start with the fundamentals then work them into the Kentucky way of getting things done. We work them with the varsity because it's the best way to get them ready to play in Southeastern Conference competition. They usually adjust pretty well."

"We don't know a thing about Tennessee's freshman team. We do know they had another outstanding recruiting year so they promise to be tough" Huntress predicted.

The University of Kentucky Frosh play their home opener October 16th. A 4 p.m. kick-off, the opponent will be Marshall University. Only two of this year's five frosh games will be played in Lexington. The other will be October 30th with the Vanderbilt freshmen.

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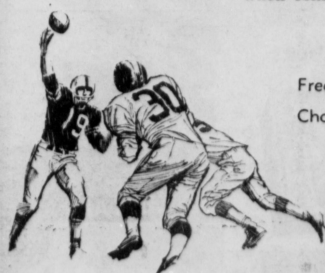
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FOOTBALL FORECAST

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	Lambda Chi	TKE	
Mississippi vs Kentucky	MISSISSIPPI	MISSISSIPPI	KENTUCKY
Missouri vs Air Force	MISSOURI	MISSOURI	MISSOURI
Alabama vs Florida	FLORIDA	ALABAMA	FLORIDA
California vs Indiana	CALIFORNIA	CALIFORNIA	INDIANA
Colorado vs Penn State	PENN STATE	PENN STATE	PENN STATE
Georgia Tech vs Miami (Florida)	GEORGIA TECH	GEORGIA TECH	GEORGIA TECH
Notre Dame vs Purdue	NOTRE DAME	NOTRE DAME	NOTRE DAME
Auburn vs Tennessee	AUBURN	TENNESSEE	TENNESSEE
Baylor vs Pittsburgh	PITTSBURGH	BAYLOR	PITTSBURGH
Iowa vs So. California	SO. CALIFORNIA	SO. CALIFORNIA	SO. CALIFORNIA

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Greeks on the Move



Alpha Tau Omega's quarterback throws for an extra point attempt in their 29-6 victory over FarmHouse.

Sigma Phi Epsilon, Alpha Tau Omega, and Delta Tau Delta all won their respective intramural games yesterday evening in the fraternity division at the sports center.

Keeping the air full of bombs, Sig Ep exploded for a 33-6 rout over Theta Chi.

Sig Ep's quarterback, Geoff Spect, tossed to Pat Lonneman, Jay Lengenbaum, and Allan Buchner for all five of their touchdowns. Buchner pulled in three. Spect hit Greg Nasti for the first conversion and took the two pointer in himself.

Theta Chi's only score came on a five yard run by Jerry Walen. The extra point attempt was missed.

Delta Tau Delta blanked Zeta Beta Tau 27-0 with touchdowns by Andy Chafin, Paul Ferrell, Greg Smith and Dave Bunnell. Extra points were scored by Chafin and Smith which constituted the final tilt.

In other games yesterday, Phi Gamma Delta downed Phi Kappa Tau 18-7, Sigma Chi turned back Phi Sigma Kappa 18-0, Kappa Sigma beat Alpha Gamma Rho 13-6 and Pi Kappa Alpha defeated Lambda Chi Alpha 12-7.

Kernel Photos By Ken Weaver



FarmHouse quarterback launches an aerial against ATO.

SAE's Henry Harris scores on a touchdown jaunt. SAE beat Sigma Nu 20-7.

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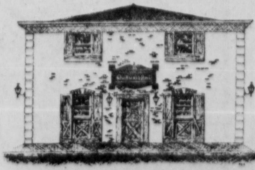
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